

THE FACTS OF THE CASE :

A SUMMARY OF THE MOST IMPORTANT EVIDENCE
AND ARGUMENT PRESENTED IN THE
REPORT OF THE

ROYAL COMMISSION ON THE LIQUOR TRAFFIC.

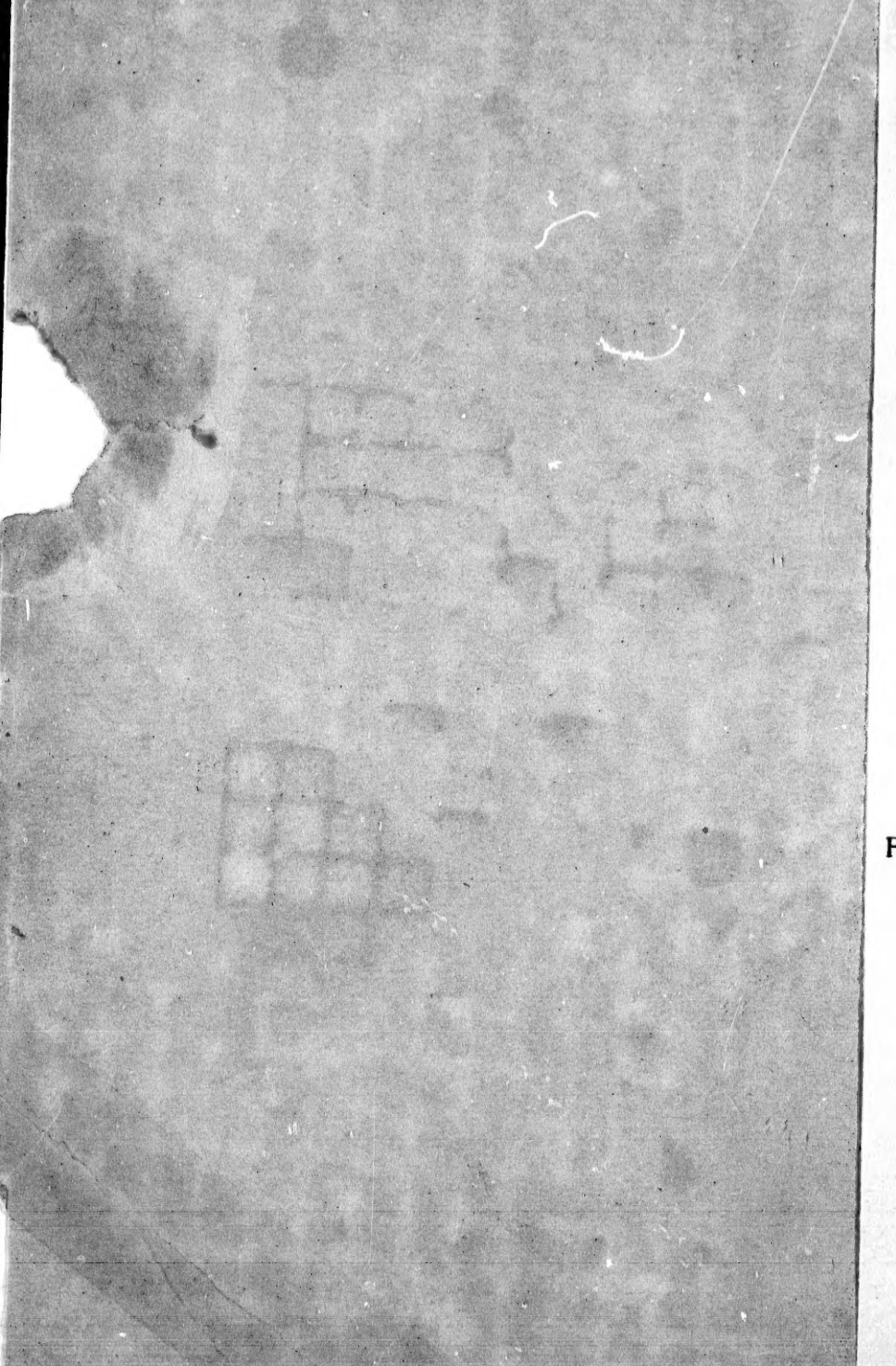
COMPILED UNDER THE DIRECTION OF

THE DOMINION ALLIANCE

FOR THE TOTAL SUPPRESSION OF THE LIQUOR TRAFFIC

BY F. S. SPENCE, SECRETARY.

TORONTO:
NEWTON & TRELOAR, 12 JOHNSON STREET
1896.



WITH COMPLIMENTS OF
THE DOMINION ALLIANCE

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CORRECTIONS.

The reader is requested to make the following corrections :—

Page 30, fifth line, instead of "of" write "for."

“ “ twenty-first line, instead of "for," write "from."

Page 88, third line from foot of page, instead of "VI," write
"V."

Page 287, sixth line, instead of "a," write "the."

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INTRODUCTION.

LONG before the different colonies of British North America were united into the Dominion of Canada, those colonies were agitated over the liquor question. In most of them stringent license laws restricted the strong drink traffic. In some of them the electors had extensive local option power, by which they might limit or entirely prohibit the issue of liquor licenses.

Early in the history of the Dominion many petitions for the enactment of a prohibitory law were presented to both houses of Parliament; and the debates and proceedings from time to time show that legislators recognized the strength of this demand and the importance of the question therein raised.

PARLIAMENTARY ACTION.

The following summary of the action of the House of Commons is taken almost entirely from the minority report of the Royal Commission.

In the year 1873 the number of petitions praying for prohibition was very great. In the House of Commons that year, on motion of Sir John A. Macdonald, a committee was appointed to consider such petitions. The committee subsequently requested a grant of money, to be expended in analyzing liquors with a view to ascertaining the extent to which adulterations were practised. The grant was made. Later, the same committee presented a report, which was printed, containing a strong declaration in favor of total prohibition.

In 1874 many petitions were presented. The House of Commons again appointed a committee to consider the question. This committee reported, recommending that steps be taken to obtain information about the working of prohibitory laws in the United States. The recommendation was adopted by the House of Commons, and after the

close of the session a royal commission was appointed, which made an investigation of the subject committed to it and presented a careful and comprehensive report.

The agitation was kept up. In 1875 the number of petitions presented was very great. Mr. G. W. Ross moved to have the House of Commons resolve itself into a committee of the whole to consider a resolution in favor of the enactment of prohibition, as far as was within the competence of Parliament, as soon as public opinion would efficiently sustain such legislation. Dr. Schultz moved an amendment declaring that it was the duty of the Government to introduce a prohibitory measure at the earliest moment practicable. Mr. Oliver moved in amendment to the amendment, that the House go into committee of the whole to consider means to diminish the evils of intemperance. This amendment was adopted. In committee of the whole, Mr. Ross moved a resolution declaring that the most effective remedy for the evils of intemperance would be a law of total prohibition. An amendment was offered by Mr. Bowell, declaring it to be the duty of the Government to propose such a measure. The committee decided in favor of the motion offered by Mr. Ross, and reported the same to the House. No action seems to have been taken upon this report.

The following year, on motion of Mr. Ross, the House adopted an address asking for the submission of correspondence relating to the question of the jurisdiction of the Dominion Parliament, and the decisions of different courts in relation to the same.

The return asked for was presented in 1877. The same session Dr. Schultz moved a resolution declaring it to be the duty of the Government to submit to Parliament a prohibitory law as soon as practicable. An amendment was offered by Mr. Ross, stating that whereas grave doubts existed in reference to the question of jurisdiction, and a case involving such question was before the courts, it would be inexpedient to express an opinion as to the duty of the Government in the matter. This amendment prevailed.

In 1878 the petitioning continued. Requests were made for total prohibition, for the amendment of the

Dunkin Act, and for other legislative measures. In that year Parliament dealt with the question by the enactment of the Canada Temperance Act, which measure is frequently referred to in the present volume. It seems to have been accepted by prohibitionists at the time, and steps were immediately taken to secure the adoption of it in many localities.

Two Acts were passed in 1879 for the amendment of the Canada Temperance Act.

In 1880 Mr. Boulton carried through the House of Commons a bill to amend the Canada Temperance Act by providing that its adoption should require an affirmative vote of a majority of the electors on the voters' lists of the county or city affected. The measure, however, failed to pass the Senate, and did not become law.

In the session of 1880-81 the House of Commons voted to close the bar for the sale of liquors and to exclude from the House of Commons' refreshment room, all strangers not accompanied by members of the House. Mr. Boulton again introduced his Scott Act amendment bill, which was again defeated.

Many petitions were presented in 1882 against any weakening of the provisions of the Scott Act, and asking for the enactment of total prohibition. A return was laid before the House of the sales made under the Canada Temperance Act by authorized druggists and vendors. Similar returns were laid before the House in subsequent years.

During the session of 1883 the House of Commons was officially informed of the judgment of the Privy Council in the case of Russell, and it was urged that the Dominion Parliament had exclusive control of legislation dealing with the liquor traffic. A bill providing for the issue of licenses and the regulation of the liquor traffic was introduced and passed. This measure was generally known as the McCarthy Act. It was subsequently declared *ultra vires* of the Dominion Parliament.

In 1884 a measure was enacted amending the McCarthy Act. The McCarthy Act was referred to the Supreme Court, and to the Judicial Committee of the Privy Council, for an expression of opinion as to its constitutionality. In

the same year Mr. Geo. E. Foster moved the following resolution :—

“ That the object of good government is to promote the general welfare of the people by a careful encouragement and protection of whatever makes for the public good, and by equally careful discouragement and suppression of whatever tends to the public disadvantage.

“ That the traffic in alcoholic liquors as beverages is productive of serious injury to the moral, social and industrial welfare of the people of Canada.

“ That despite all preceding legislation, the evils of intemperance remain so vast in magnitude, so wide in extent, and so destructive in effect, as to constitute a social peril and a national menace.

“ That this House is of the opinion, for the reasons hereinbefore set forth, that the right and most effectual legislative remedy for these evils is to be found in the enactment and enforcement of a law prohibiting the importation, manufacture and sale of intoxicating liquors for beverage purposes.”

Mr. Thomas White moved to amend the resolution by the addition of the following words :—

“ And this House is prepared, so soon as public opinion will sufficiently sustain stringent measures, to promote such legislation, so far as the same is within the competency of the Parliament of Canada.”

This amendment was accepted by the House. Mr. Thos. Robertson moved in amendment to the amendment that the following words be added :—

“ And that this House is of the opinion that the public sentiment of the people of Canada calls for legislation to that end.”

The amendment to the amendment was defeated by a vote of 107 to 55.

The amended resolution was adopted by a vote of 122 to 40.

In the year 1885 an Act was passed suspending such portions of the McCarthy Act as had been declared unconstitutional by the Supreme Court, pending an appeal to the Privy Council. Many returns relating to the Canada Temperance Act were laid before the House. Many petitions relating to the temperance question were received. A number of bills proposing to amend the Canada Temperance Act were introduced, but not passed. One of the most important of these was the bill agreed to by the

representatives of the Dominion Alliance and introduced by Mr. Jamieson. It passed the House of Commons, but was returned from the Senate with an amendment exempting beer and wine from the operation of the Scott Act. The House of Commons refused to assent to this amendment, and the bill did not become law. A motion was submitted by Mr. Kranz, declaring that when a prohibitory law would be enacted, provision should be made for the compensation of brewers, distillers and maltsters. An amendment was offered by Mr. Fisher declaring that the time when Parliament proceeded to discuss the details of a prohibitory law would be the occasion to discuss the question of compensation. The amendment was adopted by a vote of 105 to 74. Mr. Beatty introduced a bill providing for the severe punishment of excessive drunkards, and another bill aimed against the traffic in spirituous liquors, but favouring the traffic in beer and wine. Neither of these measures passed the House.

A resolution in favor of total prohibition was introduced in the House of Commons by Mr. Jamieson in the session of 1887. Many amendments offered relating to the Canada Temperance Act were defeated. An amendment was submitted by Mr. Sproule declaring in favor of compensation. An amendment to this amendment, moved by Mr. Fisher, similar to that submitted by him in 1885, was adopted. The amended resolution was defeated, the vote upon it being 70 for, 112 against.

In 1888 Mr. Jamieson again introduced a resolution in favor of total prohibition. It was not voted upon. Bills, introduced by Mr. Jamieson and Mr. McCarthy, for the amendment of the Canada Temperance Act, were passed.

Mr. Jamieson, in 1889, again introduced a resolution declaring it to be the duty of parliament to enact a prohibitory law. An amendment was proposed by Mr. J. F. Wood, making an additional statement that such prohibition should be enacted when public sentiment was ripe for the reception and enforcement of such a measure. This was adopted by a vote of 99 to 59. An amendment offered by Mr. Taylor in favor of a plebiscite and compensation was defeated, as was also an amendment by Mr. Mills in favor of a plebiscite. An amendment, offered by Mr.

Moncrieff, favoring the exemption of beer and wine from the operation of the Canada Temperance Act, was ruled out of order. Mr. Jamieson's resolution was adopted without a division.

During the session of 1891, Mr. Jamieson introduced a resolution declaring that the time had come for the enactment of a prohibitory law. Mr. Mackintosh submitted an amendment favoring the appointment of a select committee to enquire into the whole question. An amendment to the amendment, moved by Mr. Taylor, declaring that a vote of the electors should be taken before legislation, was defeated. Another amendment to the amendment was moved by Hon. Mr. Foster, declaring in favor of the appointment of a royal commission to obtain, for parliament, information relating to the subjects of the liquor traffic and prohibition. Mr. Foster's amendment was carried.

THE ROYAL COMMISSION.

This decision was made by the House of Commons on June 24th, 1891. The commission providing for the carrying out of it, was issued on March 14th, 1892, and was in the following terms:—

STANLEY OF PRESTON,

CANADA.

[L.S.]

VICTORIA, *by the Grace of God, of the United Kingdom of Great Britain and Ireland, QUEEN, Defender of the Faith, &c., &c., &c.*

ROBERT SEDGEWICK
Deputy Minister of
Justice, Canada.

}

To Sir JOSEPH HICKSON, of the City of Montreal, in the Province of Quebec, Knight; Herbert S. McDonald, Esquire, Judge of the County Court of the United Counties of Leeds and Grenville, in the Province of Ontario; Edward F. Clarke, Esquire, of the City of Toronto, in said Province of Ontario, and a member of the Legislative Assembly of the said Province; George Auguste Gigault, of St. Cesaire, in the Province of Quebec; and the Reverend Joseph McLeod, of the City of Fredericton, in the Province of New Brunswick, Doctor of Divinity, and to all whom the same may in any wise concern,
—GREETING,

WHEREAS it is deemed expedient to obtain for the information and consideration of Parliament the fullest and most reliable data possible respecting :—

1. The effect of the Liquor Traffic upon all interests affected by it in Canada ;
2. The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic ;
3. The results of these measures in each case ;
4. The effect that the enactment of a Prohibitory Liquor Law in Canada would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue, requirements of municipalities, provinces and of the Dominion, and also as to its capability of efficient enforcement ;
5. All other information bearing upon the question of Prohibition ;

AND WHEREAS it is expedient that a Commission be issued to competent persons for the purpose of obtaining such data and information ;

AND WHEREAS it is in and by "The Revised Statutes of Canada," chapter 114, intituled "An Act respecting Inquiries concerning Public Matters," amongst other things in effect enacted, that whenever the Governor in Council deems it expedient to cause inquiry to be made into and concerning any matter connected with the good government of Canada or the conduct of any part of the public business thereof, and such inquiry is not regulated by any special law, the Governor in Council may by the Commission in the case confer upon the Commissioners or persons by whom such inquiry is to be conducted the power of summoning before them any witnesses, and of requiring them to give evidence on oath, orally or in writing, or on solemn affirmation, if they are persons entitled to affirm in civil matters, and to produce such documents and things as such Commissioners deem requisite to the full investigation of the matters into which they are appointed to examine ;

AND WHEREAS it is expedient that inquiry under oath should be made into and concerning the matters and things hereinbefore mentioned and set out ;

NOW KNOW YE that under and by virtue of all and every powers and power vested in Us in that behalf, and by and with the advice of OUR PRIVY COUNCIL for CANADA, WE, reposing trust and confidence in your loyalty, integrity and ability have nominated, constituted and appointed and do hereby nominate, constitute and appoint you the said Sir Joseph Hickson, Knight, you the said Herbert S. McDonald, you the said Edward F. Clarke, you the said George Auguste Gigault, and you the said Joseph McLeod to be Our Commissioners for the purpose of obtaining the desired data respecting :—

1. The effects of the Liquor Traffic upon all interests affected by it in Canada ;
2. The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic ;

3. The results of these measures in each case ;
4. The effect that the enactment of a Prohibitory Liquor Law in Canada would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue requirements of municipalities, provinces and of the Dominion, and also as to its capability of efficient enforcement ;
5. All other information bearing on the question of Prohibition.

AND under and by virtue of the powers vested in Us by the Statute lastly hereinbefore recited, WE do hereby authorize and empower you, or any, or either of you, as such Commissioners or Commissioner to summon before you any witnesses, and to require them to give evidence on oath orally, or in writing, or on solemn affirmation, in case they are persons entitled to affirm in civil matters, and to produce such documents and things as you OUR said Commissioners shall deem requisite to the full investigation and report of the matters into which you are hereby appointed to inquire and report.

To have, hold, exercise and enjoy the said office, place and trust unto you the said SIR JOSEPH HICKSON, Knight, you the said HERBERT S. McDONALD, you the said EDWARD F. CLARKE, you the said GEORGE AUGUSTE GIGAUT and you the said Reverend JOSEPH McLEOD, together with the rights, powers, privileges and emoluments unto the said office, place and trust of right and by law appertaining during pleasure.

AND WE do appoint you the said SIR JOSEPH HICKSON to be the Chairman of Our said Commissioners.

AND WE do hereby require and direct you to report to Our President of Our Privy Council for Canada the result of your investigation together with the evidence taken before you and any opinion or remarks you may see fit to make thereon, and any recommendation in respect thereof.

IN TESTIMONY WHEREOF, etc, etc.

The personnel of the Commission was a deep disappointment to the friends of the temperance cause. It had been hoped that there would have been on the Commission at least a fair proportion of persons who were not specially hostile to prohibition. Some of those appointed were men who were looked upon as warm friends of the traffic. In the subsequent work of the Commission it became manifest that all the commissioners excepting the Rev. Dr. McLeod, were bitter in their opposition to a prohibitory law. In every part of Canada in which the Commission took evidence this opposition was strongly manifested in the methods of questioning used, and in the persistent efforts made to shake the evidence of witnesses opposed to the liquor traffic. In some cases this action on the part of the commissioners passed far beyond the bounds of civility.

THE INQUIRY.

Shortly after the Commission was issued it was announced that the brewers and distillers had engaged Mr. L. P. Kribs of Toronto, to look after their interests during the progress of the inquiry. A meeting of some temperance friends, convened in Montreal, agreed that it would be wise for the temperance party to take a similar course, and asked the Dominion Alliance to initiate action in this direction. An appeal was accordingly issued to the temperance public for funds to bear the expense of the proposed undertaking. To this appeal there was a prompt and liberal response, contributions coming in from every part of the country. The Executive Committee of the Alliance appointed their Secretary, Mr. F. S. Spence, to do the work.

Four months after the Commission was appointed, its first public sitting for the taking of evidence was held in the city of Halifax, Nova Scotia.

A great deal of work was done by the commissioners. They prepared questions which were submitted to clergymen, medical men, magistrates and others, and the answers to which were classified and summarized. Extensive correspondence was carried on with public officials, both in Canada and other countries, for the purpose of obtaining information relating to the questions to be considered. A great mass of statistics was collected and arranged. Evidence was taken in leading cities and towns in all the provinces, and in nine American states.

At the opening session of the Commission's proceedings Mr. Spence asked for the privilege of addressing the Commission from time to time, questioning witnesses, and calling such witnesses to be examined as he thought necessary to secure the presentation of information that would be useful in promoting the inquiry. Mr. Kribs made a similar request, as did also Mr. J. F. L. Parsons of Halifax, who had been appointed by the Nova Scotia Grand Division of the Sons of Temperance to act for that body.

The commissioners considered these requests and replied that they did not think it necessary to hear advocates on

any phase of the matter they were appointed to investigate. They stated, however, that they were prepared to hear any witnesses who would present themselves, and to consider whether or not they would ask such witnesses any questions that might be suggested. They said also that they would consider whether or not they would call any witnesses mentioned by the gentlemen named. Then the inquiry began.

The course usually carried on at the public sittings of the Commission was the following:—A number of witnesses were selected and called by the commissioners. Many of these were public officials, the mayor of the city or town in which the inquiry was held being usually the first. Then followed such local officials as the sheriff, president of the board of trade, city clerk, inspector of licenses, collector of customs, collector of revenue, superintendents and other officials of asylums, prisons and charitable institutions, and any other persons selected by the commissioners. After this list was gone through, the commissioners took the names of witnesses submitted by Mr. Spence and Mr. Kribs, generally calling one from each list alternately. Mr. Kribs and Mr. Spence submitted to the commissioners in writing such questions as they desired to have addressed to the different witnesses examined.

Further facts relating to the inquiry will be found in this volume, and more details regarding places visited will be found in Part VI.

THE RESULTS.

Long intervals sometimes elapsed between the sittings of the commissioners for the taking of evidence. The long delay in the preparation and presentation of the report was discussed and criticized in Parliament and elsewhere. A preliminary report accompanying copies of the evidence taken in Nova Scotia, New Brunswick, Prince Edward Island and Quebec, was presented to the Governor in Council on June 4th, 1894. The final report of the Commission is dated March 29th, 1895. It was a majority report, being signed by all the members of the Commission except Rev. Dr. McLeod. In a few lines

added to it, Mr. Gigault dissented from the finding of the majority in regard to some minor matters

Rev. Dr. McLeod dissented from the findings of the Commission, and presented a separate report, dated April 5th, 1895.

These reports, with a number of appendices, and the evidence taken by the commissioners, were printed. They make up seven large blue books, aggregating 5,870 pages. It has been announced that an index to the series of volumes is in course of preparation by the Government. The enormous dimensions of these volumes make it inconvenient for persons desiring to avail themselves of the information which they contain. It has therefore been deemed wise that a summary of the most important statements and opinions which they embody, should be prepared for the use of friends and advocates of prohibition, within a moderate compass, and in convenient form for reference and use. The present volume is an attempt to carry out this proposal.

It will be noticed that in the Commission there are mentioned five heads or sub-divisions of the subject committed to the commissioners, upon which they were requested to report. For the convenience of those for whom it is intended, this book is divided into five parts corresponding with the five heads named. It will be readily understood, however, that statements relating to these five different aspects of the liquor question will necessarily overlap each other from time to time.

PART I.

*“The effect of the Liquor Traffic upon all
Interests affected by it in Canada.”*

CHAPTER I.

EXTENT OF THE LIQUOR TRAFFIC.

The majority report of the Commission goes exhaustively into the question of the magnitude of the liquor traffic and the business and agricultural interests considered to be related thereto.

The average production of Canadian breweries and distilleries for the five years 1889 to 1893 is stated to be—

Whiskey 4,538,000 gallons.

Beer and Ale.. 17,150,000 gallons.

A large quantity of the whiskey is exported. There is no report of the quantity of domestic wine and cider manufactured in Canada. The average yearly importation of wines for five years is 520,258 gallons.

LIQUOR CONSUMED.

Much more interest, however, will be taken in the figures showing the amount of liquor consumed in Canada. The report states that the quantity of intoxicating liquor of all kinds entered for consumption in the five years named averaged yearly 21,676,749 gallons.

This is the amount on which duty is paid. As just mentioned it does not include native wines and cider. The report continues :—

Taking Canadian spirits at \$2.10 per gallon, and imported at the entered value, plus duty ; Canadian malt liquors at 30 cents per gallon, and imported at the entered value, plus the duty, and wine at the entered value, plus duty, the following total is reached :—

Spirits, 3,809,596 gallons.....	\$8,728,563 00
Malt liquors, 17,355,487 gallons.....	8,368,145 00
Wine, 511,626 gallons	933,356 00
Total	\$15,030,064 00

There has to be added to the entered price of the imported liquors the freight across the Atlantic, insurance and charges. These would probably amount to \$165,000.

Of the additions made to the quantities manufactured and imported, before the different descriptions of liquors are disposed of by retail, it is, of course, impracticable to obtain any account.

Taking an average of the quantities of wine, spirits and malt liquors entered for consumption in the five years ending 1893, but excluding cider and native wines, and taking an average of the retail prices, the calculation shows the sum of **\$39,879,854**, to be paid for liquor by the consumers. As more than one-half of this amount is paid for spirits to which, it is well understood, a large addition of water is made before they are vended to the public, the total amount paid is probably considerably in excess of the sum just mentioned.

Extensive tables are given showing the per capita consumption of liquor in the different provinces and in the Dominion as a whole. The most important parts of these tables are the following :—

THE DOMINION.

YEAR.	SPIRITS.		BEER.		WINE.	
	Total Consump tion.	Per Head.	Total Consump tion.	Per Head.	Total Cons'mp tion.	Per Head.
	Galls.	Galls.	Galls.	Galls.	Galls.	Galls.
1871	4,600,233	1' 246	7,302,094	1' 979	599,741	' 162
1872	5,129,207	1' 368	8,269,175	2' 206	780,604	' 208
1873	5,107,934	1' 341	9,586,495	2' 517	730,890	' 191
1874	6,124,416	1' 582	9,391,919	2' 427	885,470	' 229
1875	4,389,941	1' 116	10,044,161	2' 554	559,471	' 142
Average 5 yrs.	5,070,346	1' 331	8,918,769	2' 341	711,235	' 186
1876	4,692,973	1' 174	9,639,424	2' 413	676,429	' 169
1877	3,864,252	' 952	9,080,494	2' 237	300,611	' 096
1878	3,834,502	' 929	8,658,346	2' 099	372,772	' 090
1879	4,569,377	1' 090	8,922,255	2' 129	412,260	' 098
1880	2,926,999	' 687	9,204,499	2' 162	307,880	' 072
Average 5 yrs.	3,977,620	' 964	9,101,003	2' 206	431,990	' 104
" 10 "	4,523,983	1' 140	9,009,886	2' 271	571,612	' 144
1881	4,015,597	' 928	10,032,467	2' 319	449,693	' 104
1882	4,445,116	1' 016	12,098,656	2' 766	550,059	' 125
1883	4,892,862	1' 106	12,935,424	2' 924	611,155	' 138
1884	4,568,954	1' 021	13,379,677	2' 992	534,141	' 119
1885	5,238,904	1' 158	12,310,448	2' 722	508,481	' 112
Average 5 yrs.	4,632,286	1' 046	12,151,334	2' 747	530,705	' 119
1886	3,384,117	' 740	13,513,207	2' 955	487,391	' 106
1887	3,613,363	' 781	14,985,191	3' 241	451,368	' 097
1888	3,201,445	' 684	16,118,340	3' 448	468,646	' 100
1889	3,929,378	' 831	16,556,726	3' 502	499,195	' 105
1890	4,558,043	' 953	17,436,739	3' 648	545,856	' 114
Average 5 yrs.	3,737,269	' 799	15,722,040	3' 362	490,491	' 104
" 10 "	4,184,777	' 919	13,936,687	3' 063	510,598	' 112
1891	3,558,117	' 737	18,304,361	3' 787	538,386	' 112
1892	3,374,413	' 690	17,185,747	3' 516	496,027	' 101
1893	3,641,963	' 736	17,283,864	3' 495	478,666	' 097
Average 3 yrs.	3,524,831	' 720	17,594,657	3' 598	504,359	' 103

NUMBER OF GALLONS CONSUMED PER HEAD BY PROVINCES.

				NOVA SCOTIA.			NEW BRUNSWICK.		
				Spirits	Beer.	Wine.	Spirits	Beer.	Wine.
For 5 years ending	1875			'814	1'069	'111	1'250	'711	'137
" 5 "	1880			'567	'814	'056	'791	'622	'058
" 5 "	1885			'563	'809	'060	'849	'666	'052
" 5 "	1890			'495	1'041	'047	'639	1'032	'041
" 3 "	1893			'434	1'321	'042	'581	1'076	'037
				P. E. ISLAND.			QUEBEC.		
For 5 years ending	1875			'546	'919	'051	1'439	2'252	'387
" 5 "	1880			'598	'688	'042	1'045	1'810	'233
" 5 "	1885			'435	'273	'017	1'262	1'960	'270
" 5 "	1890			'319	'415	'012	1'048	2'605	'241
" 3 "	1893			'257	'361	'013	'925	2'705	'234
				ONTARIO.			MANITOBA.		
For 5 years ending	1875			1'510	3'228	'079	'822	'535	'154
" 5 "	1880			1'078	3'217	'031	'640	1'490	'064
" 5 "	1885			1'085	4.223	'031	1'363	4'143	'119
" 5 "	1890			'747	4.984	'025	'879	3'426	'077
" 3 "	1893			'665	5.264	'027	'905	3.436	'063
				BRITISH COLUMBIA.					
For 5 years ending	1875			1'214	1'839	'398	e.		
" 5 "	1880			1'366	3'409	'424			
" 5 "	1885			1'359	3'825	'716			
" 5 "	1890			1'369	5'409	'518			
" 3 "	1893			1'480	7'145	'466			

The population for 1871, 1881, and 1891 is taken from the census returns; for all other years it is estimated. Native wines are not included.

There are practically no figures for the North-West Territories. During the years named the Territories were nominally under prohibition. Liquor was imported under permits issued by the Lieutenant Governor. It was not entered for customs or excise duty in the Territories. It was entered for consumption and duty paid upon it in other parts of the Dominion. Most of it is included in the amount charged to Manitoba.

CONSUMPTION OF ALCOHOL.

Calculations were made of the amount of alcohol consumed in the different kinds of liquor mentioned and the result is stated in the following terms:—

The figures indicate that there has been a reduction in the consumption of spirits and of imported wines, and a large increase in the consumption of beer. About the year 1860 lager beer began to be made on a moderate scale, but it was not until 1876 that it reached any considerable proportions. The quantity has since then continued to steadily increase, until in 1893 it reached 5,368,652 gallons, or about 32 per cent. of all the malt liquor made. Reducing the whole quantities consumed to the basis of alcohol, as set forth in the following table, the figures show a considerable reduction in the average consumption of the ten years ended 1890 from the average consumption of the ten years ended 1880, and a reduction in the consumption in the five years ended 1890 from the average consumption in the five years ended 1885.

The ratio of alcohol adopted as the basis of calculation is not an absolutely exact quantity, but it is considered by those having long experience of the business to be a reasonable estimate. Inasmuch as the basis is the same in all the periods, it should not materially affect the comparison of one with another.

Statement showing the estimated yearly per capita consumption of alcohol in gallons in the Dominion and in the several provinces thereof during the undermentioned periods.

	Dominion.	Ontario.	Quebec.	Nova Scotia.	New Brunswick.	Prince Edward Island.	Manitoba.	British Columbia.
10 yrs ended 1890	'666	'738	'764	'330	'432	'212	'774	1'088
5 " " 1890	'622	'677	'728	'319	'390	'187	'660	1'113
3 " " 1893	'597	'654	'672	'305	'362	'153	'671	1'262

The report does not show the calculations by which the commissioners arrived at the amount stated as being the price paid by consumers for the different kinds of liquor mentioned. It will be noticed that it is a little over 250 per cent. of what is estimated as the wholesale price. The important features of the foregoing calculations may be summed up as follows:—

Liquor consumed annually..... 21,676,749 gallons.

Direct cost to the consumers..... \$39,879,854,

CHAPTER II.

RELATED BUSINESS INTERESTS.

Much attention is given, in the majority report, to statistics showing the amount of money invested in the different branches of the liquor business, and expended in different ways which may be said to have some relation thereto. The figures used are, in many cases, those compiled by the representative of the liquor interests, many of whose calculations are simply transferred from his evidence to the body of the commissioners' report. Other statements are taken from the census returns, and from calculations specially made for the Commission.

OUTPUT OF LIQUOR MANUFACTORIES.

The value of the output of Canadian distilleries and breweries and the cost of the materials used by these establishments, in which of course the value of spirits is taken without any addition being made for the duty collectable thereon, is given as follows :—

Taking malt liquors at an average of 30 cents per gallon, and spirits at an average of 60 cents per gallon, and the average quantities manufactured in the five years 1889 to 1893, and estimating the value of animals fed and sold, and the refuse products sold, as being about \$800,000, the total output per annum would represent :—

	Gallons.	Value.
Whiskey	4,538,000 @ 60c.	\$2,722,800
Beer and Ale	17,150,000 @ 30c.	5,145,000
Cattle fed and sold and grains and slop sold		800,000
		\$6,667,800

MATERIALS USED.

The principal materials used in the manufacture of liquors are the product of the farm. They consist of Indian corn, barley, rye, wheat, oats, buckwheat, hops, apple and pear pomace, grape pomace, and ground grapes to a limited extent. A carefully prepared estimate of the value of these raw materials based in nearly

every instance upon the average quantities used as nearly as they could be ascertained, in the five years ended 1893, shows that they yielded to the producers about \$1,888,765 per annum, to which has to be added the amount paid to farmers for cattle for feeding and for hay used in feeding them, probably \$434,000, and a further amount paid for provender for horses employed in doing cartage, etc., of say \$60,000, making a total of \$2,382,765.

It will be noticed that in these calculations the commissioners reckoned the full value of the cattle fed in connection with distilleries, as part of the output of these distilleries, and put the value of these cattle when first purchased into the cost of the raw material used. Continuing, the report says :—

Deducting from the preceding total, \$2,382,765, the value of Indian corn, hops and malt imported, the remainder would represent the sum of \$1,596,343, which is a reasonable estimate of the interest of the agricultural classes of the Dominion in the materials made use of annually in, and in connection with, the manufacture of spirituous and malt liquors in Canada.

MANUFACTURERS' OUTLAY.

Taking this estimate of raw material used, taking the census figures for wages paid in breweries and distilleries and malt houses, with an addition of \$30,000 "for the wages of those employed in the making of barrels, etc. outside these establishments," making an estimate for the amount of fuel consumed, and taking Mr. Kribs' figures for all the other items in their calculation, the commissioners present the following statement and observations :—

Accepting the preceding figures as approximately correct, we reach this result. There is paid by brewers and distillers annually :—

For raw material, the product of the farm,	\$2,382,765
For wages.....	1,194,046
For fuel	170,000
For transportation	450,000
For casks, bottles, cases, etc	206,455
For capsules, corks, etc.	76,186
For printing, advertising, show cards, etc.	79,897
For repair, blacksmith's work, etc.....	47,005
For insurance	151,685
For gas, taxes, water supply, etc.....	123,118
For ice.....	36,757
For sundries	121,992

\$5,039,906

Of this sum of \$5,039,906, it is estimated that there is paid about \$1,038,671 for imported materials, leaving \$4,001,235 as the sum paid for Canadian products, wages, etc.

The undersigned desire to repeat that many of these figures are estimated. Every care has been taken in their preparation and they are believed to convey a reasonably accurate idea of the extent of the various interests to which they refer.

CAPITAL INVESTED.

The amount of capital invested in brewing and distilling establishments is given by the census returns of 1891 as follows :—

Distilleries :—

Nova Scotia	\$ 190,000	
Ontario	6,864,000	
		\$7,054,000

Breweries :—

British Columbia	\$ 236,380	
Manitoba	277,300	
New Brunswick	114,000	
Nova Scotia	569,557	
Ontario	5,305,805	
Prince Edward Island	12,000	
Quebec	1,796,411	
		8,311,453

Malt-houses :—

Ontario	\$ 220,000	
Quebec	3,500	
		223,500
		\$15,588,953

TOTAL INVESTMENT AND OUTLAY.

After setting out these facts the commissioners present a table summing up much of what has been above detailed. Mr. Kribs' statements are again largely used. His estimate of the value of licensed property is greatly reduced, but his figures for the value of the stock, plant and fixtures used by retailers, and for wages paid by them, are taken in full. These figures estimate an average of five persons as employed in each licensed place. The table thus constructed and some added notes, are as follows :—

It may be as well to recapitulate the various items which have been referred to :—

Capital invested in breweries, distilleries and malt-houses	\$15,588,953
Value of real estate occupied by vendors of liquors, estimated by the trade to be \$70,000,000, but which is probably nearer.	38,000,000
There are in addition, fixtures, etc., estimated by the trade at what seems an excessive valuation, viz.,	21,000,000
There is an extensive stock of liquor always on hand in distilleries and elsewhere, and credit to a large extent has to be given to the retail vendor. These conditions probably lead to the employment of a large amount additional, temporarily obtained from bankers, of which no estimate has been attempted.	
The brewers and distillers disburse, in wages and for materials required, payment of municipal taxes, etc., etc., a sum estimated at	5,039,906
There is paid for imported liquors, including ocean freights, etc....	1,901,897
For Federal excise and customs duties, licenses, etc...	7,101,557
For licenses, etc., Provincial and Municipal	1,353,465
For wages of those engaged in the retail and whole-sale trade, a sum estimated at	10,500,000

The last estimate is probably in excess of the actual expenditure.

There are in addition, the domestic cider and wine trade, the soda water, cooperage and cork industries, heretofore referred to, which are not taken into account in the foregoing figures.

CANADIAN WINE AND CIDER.

The report also calls attention to the Canadian cider and native wine industries, the statistics of which are not included in the figures already given. The census presents the following statements regarding them. The first column of figures relates to the business of making cider and the second to the making of native wines :—

Capital invested.....	\$136,795	\$396,475
Wages paid	47,129	37,955
Value of products	186,835	249,489
Number of industries.....	175	41
Number of employees.....	321	150

CHAPTER III.

REVENUE.

In presenting their estimate of public revenue derived from the liquor traffic the commissioners take into consideration all customs and excise duties imposed on liquors, and upon materials used by liquor manufacturers, together with all money derived from the issue of licenses. They have not deducted from the receipts the outlay incurred in the collection of this revenue. Their figures are here given in full.

The revenue of the Dominion Government is :—

		Yearly average, for five years, 1889-1893.
1.	From Customs duties on imported liquors	\$2,241,784 00
2.	“ “ “ “ malt	6,224 00
3.	“ “ “ “ hops	44,803 00
4.	“ “ “ “ coal	23,880 00*
5.	“ “ “ “ corn	72,168 30
6.	“ “ “ “ miscellaneous articles,	10,000 00*
7.	“ excise on malt liquors	3,634 00
8.	“ “ malt	691,954 00
9.	“ “ spirits	3,990,169 92
10.	“ brewers', distillers' and maltsters' licenses	16,040 00
11.	“ compounders' licenses	900 00
Total		\$7,101,557 22

The revenue derived by the provincial governments and municipalities for the year 1890-91 was as under. This year is taken, as the returns for it are more complete than they are for any other. Many municipalities have not made any returns :—

* Estimated,

	No. of Licenses 1891.	Provincial Revenue.	Municipal Revenue.	Total.
		\$		
Nova Scotia	108	.....	\$17,659 00	\$ 17,659 00
New Brunswick	172	.....	21,980 00	21,980 00
Prince Edward Island			600 00	600 00
Quebec	2,453	552,318 00	21,964 00	574,282 00
Ontario	4,256	308,200 00	294,968 00	603,168 00
Manitoba	156	27,550 00	18,507 00	46,057 00
N.-W. Territories ...	109	20,790 00	7,675 00	28,465 00
British Columbia	400	15,500 00	45,754 00	61,254 00
Totals	7,654	924,358 00	429,107 00	1,353,465 00

In Quebec, nothing is included for the city of Quebec and many other places have not made any returns.

Several municipalities in British Columbia have not made returns.

The figures for the North-West Territories are those for 1892. Licenses only began to be issued May 1st, 1892.

In the foregoing figures \$47,280 is included for fines. In Ontario \$77,130 is deducted from the gross receipts for salaries, expenses and commissions. The gross receipts were therefore \$680,298 instead of \$603,168.

In Ontario the licenses on the preceding return include transfers, removals and extensions. Excluding the two first mentioned classes the licenses represent one to about every 583 of the population. In Quebec the transfers are endorsed on the licenses. The total number of the licenses is equal to one license to every 607 of the population. In British Columbia the 400 licenses shewn on the return are equal to one to every 245 of the population.

In the Province of Quebec in 1891 the amount which the municipalities might charge in addition to the Provincial Government fees was limited to a sum of \$50. This materially reduced the amounts collected by the municipalities, as, for instance, the city of Sherbrooke, which, in 1890, collected \$9,100; in 1891 only collected \$1,300. The law was again changed in the session of 1892. The municipal councils were authorized to add in cities any amount not exceeding \$200, and in other places not exceeding \$50. It is probable that correct returns would show that the Provincial and Municipal Governments collect \$1,500,000 from the liquor traffic.

CHAPTER IV.

PROFIT AND LOSS.

As has been shown the majority Commission Report sets out the direct cost of liquor in Canada to the consumers. No attempt is made to present any estimate of the outlay caused by the liquor traffic and its results. There is an evident effort to minify the extent of such expenditure. This is strikingly manifest in such paragraphs as the following, taken from pages 70 and 71.

The expenses of the penitentiaries are borne by the Dominion, but the population of these institutions consists of those who have been guilty of the more serious class of crimes, and it is probable that only a comparatively small proportion of the offences for which they are incarcerated are to be attributed to intemperance. The evidence taken by the Commission goes to show that those who are convicted for the graver crimes are not generally persons of intemperate habits.

If we take the expenditure of cities and towns, it is probably true that if drunkenness could be entirely put an end to, a reduction would be possible in the police expenditure. In the country districts a complete cessation of the traffic would probably have no appreciable effect on the charges for police services. The recorders' and police courts throughout the country could not be wholly discontinued if there was no liquor traffic, and it is doubtful if the expenditure in connection with them could even be appreciably reduced. A very large number of the cases which come before these courts arise out of municipal laws, which have no connection whatever with the liquor traffic.

There are a considerable number of persons committed for drunkenness to the various jails in the provinces, and probably some portion of the vagrants, of whom there is always a large number in the jails, get there through intemperance. There are also other cases which may be classed as resulting from over-indulgence in intoxicants. To the extent by which the number of the population of the jails could be reduced, the expenditure for food and lodging would probably be reduced. There are cases where the prisoners who are made to work earn something

towards their maintenance. It is certain that the jails could not be discontinued. The lower grades of the staff could, probably, if there was a considerable diminution in the number of the prisoners, be reduced.

As regards the expenditure in connection with the insane asylums of the country, it is probably only very slightly increased from cases arising out of the liquor traffic.

There is, of course, a large expenditure incurred on reformatories, but, again, it is next to impossible to form any idea of the proportion of that expenditure which is chargeable to intemperance.

It is almost unnecessary to say that economies in the direction indicated could only be effected if drunkenness were either extinguished or materially reduced. Hitherto the prohibition system can hardly be credited with having accomplished either of these results.

This omission on the part of the commissioners is unfortunate, inasmuch as it takes from the value of the report in regard to the information presented, and from its value as an impartial finding. The minority report, however, deals with this important question fully. The estimates therein given are carefully made, and the results are probably as accurate as any that could be obtained. The remainder of this chapter is taken in full from that report.

DIRECT COST OF THE LIQUOR TRAFFIC.

The Commission has made an estimate based on the average annual consumption for the five years ended 1893. Excluding cider and native wines, and taking an average of the retail prices, the calculation shows that the sum of \$39,879,854 is paid annually by the consumers of liquors in Canada. The Commission adds that "as more than one-half of this amount is paid for spirits, to which, it is well understood, a large addition of water is made before they are vended to the public, the total amount is probably considerably in excess of the sum mentioned." In the calculations which follow, the estimate \$39,879,854. is used.

The money thus paid may be fairly said to represent so much diminution of wealth, as the liquor when consumed, leaves the community in no way advantaged. When money is paid for clothing, food, or other commodities, the purchaser is supposed to have value for his outlay. Both buyer and seller, respectively, possess wealth formerly held

by the other, usually slightly increased by the exchange. The liquor seller possesses the wealth formerly held by his customer, but the customer-consumer has nothing. The community is poorer at least to the extent of the money spent for the liquor. The annual expenditure of liquor, therefore, may be regarded as so much direct loss to the country.

The amount of grain used in the manufacture of this liquor also represents material destroyed. Part of it was Canadian grain which, had it not been used in liquor-making, would have been available for export or other use. Part of it was imported grain for which the money had to go out of the country. All the grain destroyed in the liquor manufacture has a right to a place in the calculation of loss. The Commission's estimate of the value of the materials used is \$1,189,765, of which \$293,423 is paid for imported articles.

The forgoing figures show only the direct loss in the purchasing transaction—the money paid by the purchasers of liquors for which they have no equivalent; and the value of the grains, etc., diverted for useful purposes.

INDIRECT COST.

There are, besides, other and greater losses caused by the liquor traffic, which are not so easy to put into figures. Few question the existence of these losses, but their extent is not generally realized. The facts are ascertained by estimates. The estimates vary; but all who have made a study of the subject agree that the burdens borne by the people on account of the liquor traffic are very great.

The facts set out in this report make clear that much disease, insanity, idiocy and other things which go to increase the dependent classes is due to the liquor habit, and that a very large proportion of the pauperism and crime of the country is attributable directly or indirectly to the liquor traffic. The cost, therefore, of the support of hospitals, insane asylums, police, jails, penitentiaries and the courts, to say nothing of the large sums spent in voluntary charities, is rightly chargeable, in considerable part, to the liquor traffic.

Of course, nothing more than conjecture is possible about the large sums disbursed in voluntary charities for the help and support of the victims, direct and remote, of the drink habit.

COST OF PRISONS, ETC.

Great difficulty has been experienced by the Commission in getting information about the expenditure by the municipalities, the provinces and the Dominion on account of the institutions named above. So far as facts about such expenditure have been ascertained, they show appropriations in 1891, from the public funds for penitentiaries, jails, insane asylums, reformatories, almshouses and charitable institutions amounting to \$2,258,612.

The figures, however, are very incomplete. Only three provinces (Ontario, Quebec and Prince Edward Island) make anything like full or accurate returns. The other provinces seem to be without any reliable records of many things about which information was desired, many of the counties making no returns whatever.

Then, the above figures do not include, for any of the provinces, the cost of the administration of justice, the police expenditure and, possibly, other important items.

It is, therefore, not well to use them as the basis of an estimate of the liquor traffic's share of the responsibility for these expenditures.

The Province of Ontario furnishes the fullest returns. A result as nearly accurate as it is possible to get, and sufficiently so for the purpose of this report, may be reached by assuming that the whole country's expenditure for the purposes indicated is proportionate to that of Ontario.

Proceeding on this plan the following facts are ascertained. The public accounts of Ontario for 1894, and the latest accounts of counties, townships, cities, towns and villages, show that the annual expenditure in the province for the administration of justice was \$1,412,294.

The net cost to the province of the Central Prison and two reformatories was \$116,025.

The Asylum for the Insane cost the province, above receipts, \$490,326.

The amount paid by the Provincial Government, in 1894, for hospitals and charities, and the expenditure of the counties, cities, towns and villages for the support of the poor and other charities, aggregated \$471,219.

The outlay during the year for repairs and improvements to the prisons and asylums of the province amounted to \$335,000, which might properly be considered with the foregoing expenditures.

There might also be added the annual interest on the cost (over \$5,000,000) of the prisons, jails, court houses, asylums, etc.

The last two items are, however, omitted.

The other items set out above amount to \$2,489,864. Large as the sum is, it does not include all, for it appears that in many cases no returns are made of the police expenses, nor of the cost of pauperism. The amount, therefore, may be regarded as being well within the actual outlay in Ontario, in one year, for the purposes named.

According to the census of 1891 the population of Ontario is 2,114,321, and the population of the Dominion 4,833,239.

If the other provinces of the Dominion expend, for like purposes, in the same ratio, according to their population, then the amount so expended annually in all the provinces, Ontario included, is \$5,691,712.

In addition to the above there is to be considered the cost of the maintenance of the penitentiaries of the Dominion. According to the Statistical Year Book of 1893 their net cost for the year was \$336,483.

Adding these sums it is seen that the annual cost to the country of the institutions named, is \$6,028,195.

This enormous annual expenditure, is not, of course, entirely on account of crime.

The courts deal with many cases not at all related to crime, and of the crime with which they deal, some of it is, probably, not closely related to the liquor traffic, and some of it not at all.

The hospitals, asylums and almshouses have inmates whose unfortunate condition is not due to the drink habit, either of themselves or others.

It will, however, not be an extravagant estimate to say that, at least one-half this expenditure is fairly chargeable to the liquor habit and the liquor traffic. On this basis, then, the liquor traffic entails upon the country for penitentiaries, gaols, asylums, reformatories, almshouses and like institutions, and for the administration of justice, an annual expenditure of \$3,014,097.

LOSS OF LABOR.

In considering the loss of labor and the general interference with industries caused by the liquor traffic, the difficulty of even approximate accuracy is admittedly very great. Sufficient attention, however, has been given the subject to enable your commissioner to present an estimate. The conclusions reached are well within the limits warranted by the facts.

It was suggested to the Commission, at the outset of the inquiry, that a series of questions relating especially to this phase of the subject be sent to employers of labor, with a view to eliciting valuable information. The majority of the Commission declined to endorse this proposal and the questions were not sent.

As opportunity offered, however, employers who came before the Commission were questioned as to the loss of time by employees, and the loss to their business by the drinking habits of their men.

The general testimony was to the effect that much time is lost by drinking employees, and that work is frequently interfered with, sometimes seriously, by the absence or incapacity of drinking men. The majority of employers expressed a decided preference for abstainers; they would not keep excessive drinkers in their employ, and the majority regard even moderate drinkers with suspicion. Many were asked about the effect of saloons in the vicinity of their factories, and nearly all were pronounced in their objection to them as furnishing a temptation detrimental both to their employees and their business.

Fuller reference to this, with quotations from the evidence heard, is made further on in this report.

The loss to the country is, of course, not at all represented by the mere loss of time by men who are regularly employed. The country loses because of the prevention of the production of wealth on account of the persons in jails, in hospitals, in asylums, out of employment or in any way idle, when intemperance has caused such idleness. It is also worthy of note, having been stated to the Commission by a number of witnesses, that the working of a gang of men in a factory, or any set of persons who work to a certain extent dependent upon each other, is much interfered with by the absence of one or more. This is more and more the case as industrial development progresses, as machinery is being used and work more and more subdivided. In a highly organized manufacturing industry, any interference by absence or incapacity, with one part of the work, affects the operation of the whole. So, not only those who drink lose time and possible earnings, but their fellow employees who do not drink are also losers, and the industry which employs them suffers interference and loss.

There is also the depreciation of wage-earning capacity, of which it is perhaps, not possible to make an estimate.

The report of an English parliamentary committee says :—

The loss of productive labor in every department of occupation, is to the extent of at least one day in six throughout the kingdom (as testified by witnesses engaged in various manufacturing operations), by which the wealth of the country, created, as it is, chiefly by labor, is retarded or suppressed to the extent of one million of every six that is produced, to say nothing of the constant derangement, imperfection, and destruction in every agricultural and manufacturing process, occasioned by the intemperance and consequent unskilfulness, inattention, and neglect of those affected by intoxication, and producing great injury in our domestic and foreign trade.

Canada, probably, suffers less. The people are more sober. Hon. G. W. Ross and Hon. George E. Foster have estimated that one-tenth the producing power of this country is destroyed by intemperance. These gentlemen had given much and careful attention to the subject, and were not disposed to make unwarranted statements. The facts gathered in this inquiry seem, in the judgment of your commissioner, to fully justify their estimate.

Lest, however, one-tenth might be regarded as an excessive estimate, your commissioner bases the calculations which follow on a still lower estimate—say eight per cent. or less than one-twelfth. When all the ways with which drink interferes with the regular work, not only of those who drink, but of others also, are considered, it must be conceded that the estimate is quite within the mark.

The following figures are taken from the census returns. Bulletin No. 10 sets out that in 1891 there were 75,768 manufacturing industries in the country, that they employed 367,865 persons, and that the value of their output was \$475,445,705.

Deducting from the value of the output the cost of the raw material, the power used, etc.—\$255,983,219, and the wages paid—\$99,762,441 (an average of \$271.00 per employee), there remains the sum of \$119,700,045 as the net value of the product of the industries—an average of \$325 worth produced by each employee. This amount (\$119,700,045) is capital's share of the product of the industries, as the wages paid (\$99,762,441) is the employees' share of the product.

The proportion of the population engaged in various employments is slightly over one-third (see Census Bulletin No. 18), or more than 1,600,000. If eight per cent. of the working and earning power of the country is made ineffective by drink, the loss to the country is equal to what 128,000 earners would produce, namely (1) wages, at \$271 each, \$34,688,000; and (2) increment at \$325 each, \$41,600,000; a total loss of \$76,288,000.

SHORTENED LIVES.

That there is much drink-caused mortality has already been shown. The estimate that annually in Canada 3,000 lives are cut short by intemperance is moderate. By the death of each of these 3,000, several years of productive power are lost to the country. Ten years has been estimated as the average loss in each case; but, supposing it to be not more than eight years, the total is equal to the annual loss of 24,000 workers whose work, on the basis of the calculation already made, would have produced \$14,304,000.

MISDIRECTED EFFORTS.

There are engaged in the various branches of the liquor traffic about 13,000 men.

These men are not only not producing anything which adds to the wealth of the country, but are creating conditions which increase the public burdens, while they, themselves, draw upon the depleted resources of the country for maintenance.

One item, not the largest, of the loss to the country by the misdirected effort of these 13,000 men is the loss of their productive labor, which, according to the estimates herein used, would be \$7,748,000 annually.

A SUMMING UP.

In this connection the fact must be noted that a proportion of the national, provincial and municipal revenues is derived from the liquor traffic. The total amount thus contributed is calculated by the Commission at \$8,473,316.22, the details of which are given in the table below.

This is the amount which the liquor traffic pays for the privileges granted it. It is right that this amount should be set over against the items of loss, and the various expenditures caused by the traffic, hereinbefore considered.

This may be done as follows :—

COST OF THE LIQUOR TRAFFIC.

Amount paid for liquor by consumers	\$ 39,879,854
Value of grain, etc., destroyed	1,888,765
Cost of proportion of pauperism, disease, insanity and crime chargeable to the liquor traffic	3,014,097
Loss of productive labor	76,288,000
Loss through mortality caused by drink	14,304,000
Misdirected labor	7,748,000
Total	\$ 143,122,716

RECEIPTS FROM THE LIQUOR TRAFFIC.***Revenues.***

Dominion Government	\$7,101,557
Provincial Governments	924,358
Municipalities	429,107
	\$ 8,455,022

Net loss \$134,667,694

From the amount received as revenues from the liquor traffic there ought to be deducted the cost of collection, which is a large item of outlay.

On the other hand, the amount of money counted as loss, because paid for drink, should be diminished by a small percentage—the cost of liquors used in medicine and the arts.

No data are at hand from which these items can be estimated. They may be omitted, or reckoned as probably nearly equal, any difference being, most likely against the traffic, as a small balance of additional loss.

In the foregoing table the items charged to the liquor traffic are moderate estimates, and many things, which might properly be included, are omitted because of the difficulty of putting them into dollars and cents. Your commissioner has no doubt that were fifty per cent. added to the above balance against the liquor traffic, it would not then be excessive. At the lowest, it is so large that it may well engage the attention of even those who take no other view of this question than the business one.

AN ANNUAL CHARGE.

It must also be kept in mind that the enormous balance chargeable to the liquor traffic represents only one year's waste. For many years, like burdens in proportion to the population, have been imposed upon the country. These facts make it easy to appreciate the truth and force of the statement made, in 1884, by Hon. Mr. Foster. Under a table prepared by him, showing the cost of liquor consumed in Canada from 1868 to 1882, inclusive, to have been \$473,200,000, he wrote:—

One can scarcely grasp the awful significance of the above figures. The immense quantities of grain that have been worse than wasted would have fed millions of people. The cost of liquors for one year exceeds the whole revenue of the Dominion of Canada. The cost per head has been fully twice as much as the total cost per head of all our customs dues since Confederation. The total amount spent in the fifteen years above tabulated aggregates, without counting interest, nearly \$500,000,000. This

would have defrayed all our cost of government, built our railways and left us without a shadow of a national debt. To all this we must add the incalculable cost of citizens slain, labor destroyed, pauperism borne and crime watched, restrained and punished. The wonder is, that, with such terrible waste, our country enjoys any prosperity. If this waste could be made to cease, Canada, in ten years would not know herself, so prosperous and wealthy would she have grown. Surely it is the part of all good citizens to see to it that such a frightful source of waste and destruction is dried up. Prohibition is the only effectual cure.

CHAPTER V.

PHYSICAL EFFECTS OF INTEMPERANCE.

The references made in the last chapter to the different evil results of the liquor traffic were necessarily condensed, and it has been thought desirable to give further consideration to some of them. The present chapter deals with what may be called The Physical Evils of Intemperance.

A large number of members of the medical profession gave evidence before the Commission. Some of this testimony was valuable and instructive. It is practically ignored in the majority report. It related chiefly to the dietetic use of intoxicants, the advantages of total abstinence, the hereditary results of intemperance, and the effects of strong drink in increasing insanity, other diseases, and mortality.

ANSWERS TO QUESTIONS.

The only medical testimony to be found in the majority report of the Commission is a classification of the written answers sent in by Canadian medical men to certain printed questions issued by the commissioners when they began their work. An epitome of this statement is given below. Everything else herein set out is taken from the evidence of witnesses, or from the body of the minority report. As has been said, there is available a great mass of such testimony. Selection has been made of only such as from its character must be considered as specially important, or such as relates to some special point of inquiry.

Four thousand one hundred and ten (4,110) circulars were sent to the members of the medical profession in the

Dominion. The number sent out to each province, and the number of the replies received are given in the following table :—

PROVINCES.	Circulars sent out.	Replies Received.
Ontario	2,362	905
Quebec	839	188
Nova Scotia	315	144
New Brunswick	240	79
Prince Edward Island	74	27
Manitoba	134	57
British Columbia	80	33
North-West Territories	66	24
	4,110	1,457

The replies received were 35.45 per cent. of the circulars sent out. 89 circulars were returned through the Dead Letter office.

Subjoined are given the questions in full, each one being followed by the classification made by the Commission of the replies received.

Question 1. Is it your practice to prescribe alcohol in any of its forms—spirituous or fermented?

(a) For persons in health. (b) For sick persons.

Answers.

Affirmative	{ (a) 86 (b) 1,311	Negative	{ (a) 1,319 (b) 73
Replies indefinite	{ (a) 13 (b) 68	No reply	{ (a) 39 (b) 5

Question 2. In your opinion, has the practice of prescribing alcohol increased or decreased of late years?

Answers.

Increased 227	No change 143	No reply 18
Decreased 923	Indefinite replies 126	

Question 3. In your opinion, could any substitute for alcohol be used which would be equally effective?

Answers.

Affirmative 292	Replies indefinite 57
Negative 1,095	No reply 13

Question 4. Can you state approximately, what percentage of the cases you attend may be attributed to the use of spirituous or fermented liquors?

Answers.

Under 10%	623	20% to 50%	38	Replies indefinite	489
10% to 20%	89	Over 50%	10	No reply	208

Question 5. In your opinion, and making allowance for the intemperate classes, would the general health of the remainder of the population be improved by total abstinence from the use of intoxicating beverages?

Answers.

Affirmative	1,068	Replies indefinite	84
Negative	287	No reply	18

Question 6. In your opinion, is the use of intoxicating beverages in moderation injurious to health and to an active condition of the mind and body?

Answers.

Affirmative	901	Indefinite replies	95
Negative	439	No reply	22

Question 7. In your opinion, and judging from your experience, what percentage of deaths is attributable to the use of intoxicating beverages?

(a) Directly. (b) Indirectly.

Answers.

Under 10%	{ (a) 431 (b) 373	10% to 20%	{ (a) 55 (b) 84
20% to 50%	{ (a) 19 (b) 59	Over 50%	{ (a) 6 (b) 9
Replies indefinite	{ (a) 632 (b) 625	No reply	{ (a) 314 (b) 307

Question 8. In your opinion, does the use of intoxicating beverages increase the number of insane persons?

Answers.

Affirmative	1,052	Replies indefinite	124
Negative	228	No reply	53

It will be noticed that some of the questions are so framed as to make it difficult to give accurate replies to them. For example, questions 4 and 7 have many answers classed as "indefinite." Few men would be prepared to

give an accurate percentage estimate off-hand in reply to these questions, and such answers as "A great majority," "A very large number" would therefore be set down as indefinite, although such replies really are definite evidence as to the evil results of drinking. The form of question 5 is remarkable and the classification of answers to it therefore the more instructive.

IMPORTANT EVIDENCE REFUSED.

At Toronto the secretary of the Dominion Alliance wished to offer as evidence the result of an inquiry made some time before among the medical men of the city named, in reference to the question now under consideration. The Commission declined to receive the statement, but the importance of it, together with the fact that the witness, under oath, submitted copies of the questions issued and of the answers received, make these results worthy of consideration.

The questions submitted in this inquiry were the following: 1. Is total abstinence, in your opinion, compatible with the fullest degree of physical health? 2. Do you consider that, generally speaking, the moderate drinking of intoxicating liquors is conducive to health, or that it is harmless or that it is injurious? 3. Do you consider, generally speaking, a total abstainer has any advantage over a moderate drinker, in better chances of recovery in sickness or accident? 4. What do you think would be the effect on public health of universal abstinence from intoxicating liquor as a beverage?

The statement which the witness wished to present along with these questions was the following:—

There had been some public discussion as to the merits or demerits of strong drink from a dietetic standpoint. There had also been expressed diverse opinions as to the attitude of the medical profession generally towards moderate drinking. The questions quoted were designed to ascertain the views of the medical men of Toronto, who might fairly be considered as representative of their profession. As will be seen these questions cover the ground of teetotalism versus moderation as desirable in everyday life, viewed from the standpoint of sanitary science. The questions were sent to every person classed as a physician in the Toronto Directory for 1887, the latest issue at the time of the inquiry. The number was two hundred and seven. Some of

these might have left the city subsequent to the compiling of the directory. Ninety-two replies were received, many of the writers being representative men in the front rank of their profession in Toronto, nearly all of them of extensive practice and high reputation, many of them professors and examiners in our medical colleges. They voiced fairly the sentiment of the medical profession.

The first question is answered directly in the affirmative in 83 cases, and of the remaining nine answers there are but three in which is expressed a definite opinion that total abstinence is not safe for most people. Several doctors are non-committal, but there are really only three who condemn the practice of the total abstainer, and even they do so in a very hesitating fashion.

The replies to the second query are, however, not so harmonious. Of the 92 there are 58 who denounce all moderate drinking as bad, and among the remaining 34 there is a startling diversity of opinion, only about ten really endorsing habitual drinking on what is usually considered moderate lines. One gentleman would object to a one-half ounce dose of alcohol, another would allow of one and one-half ounces in 24 hours. One believes in an "occasional" drink, another would forbid it altogether except at meals. One would give "spirits," another rejects anything but pure wine, while a third is in favor of ale. A careful perusal of all these opinions will be instructive, but will not throw any light on the vexed question, as to what constitutes moderation, nor will it aid the man who rejects the unanimous advice of the 57, in making up his mind what rule he is to take as an alternative.

More agreement characterizes the replies to question No. 3. Seventy-six doctors are convinced that a total abstainer is a safer patient than is a moderate drinker. Of the others, two have evidently misunderstood the question, taking it to mean total abstinence while under treatment, whereas it meant total abstinence as a habit before the sickness or accident named. There are eight who clearly assert that a moderate-drinking patient has quite as good a chance of recovery as a total abstainer. The others qualify their answer.

When we come to examine the replies to the fourth question, we find that 82 of the 92 who reply, believe that universal abstinence would be a great public benefit; one speaks indefinitely; two decline to discuss the question; three are afraid abstinence from drink would lead to indulgence in some other narcotic; four are of opinion that no material gain or loss would result; and one believes that teetotalism would be injurious to the general health of the community.

OTHER STRONG OPINIONS.

All evidence obtainable goes to show that heavy drinking is universally condemned, and, also, that there is a growing tendency among medical men to discountenance even what is known as moderate drinking.

As early as 1839 the following declaration was made public in Great Britain, having appended to it the signatures of 78 men who occupied high positions as scientists :

An opinion handed down from rude and ignorant times, and imbibed by Englishmen from their youth, has become very general, that the habitual use of some portion of alcoholic drink, as of wine, beer or spirits, is beneficial to health, and even necessary to those who are subjected to habitual labor. Anatomy, physiology and the experience of all ages and countries, when properly examined, must satisfy every mind well informed in medical science that the above opinion is altogether erroneous. Man, in ordinary health, like other animals, requires not any such stimulants, and cannot be benefited by the habitual employment of any quantity of them, large or small ; nor will their use during his life-time increase the aggregate amount of his labor. In whatever quantity they are employed they will rather tend to diminish it. When he is in a state of temporary debility, from illness or other causes, a temporary use of them, as of other stimulant medicines, may be desirable ; but as soon as he is raised to his natural standard of health a continuance of their use can do no good to him, even in the most moderate quantities ; while larger quantities (yet such as by many persons are thought moderate) do, sooner or later, prove injurious, to the human constitution, without any exceptions.

In 1847 the following declaration was signed by 2000 physicians and surgeons of Great Britain :—

We, the undersigned, are of the opinion, (1) That a very large proportion of human misery, including poverty, disease and crime, is induced by the use of alcoholic or fermented liquors as beverages. (2) That the most perfect health is compatible with total abstinence from all such intoxicating beverages, whether in the form of ardent spirits or as wine, beer, ale, porter, cider, etc., etc. (3) That persons accustomed to such drinks may with perfect safety discontinue them entirely, either at once or gradually, after a short time. (4) That total and universal abstinence from alcoholic liquors and beverages of all sorts would greatly contribute to the health, the prosperity, the morality, and the happiness of the human race.

It is not unusual for associations of medical men in these days to make similar and even stronger declarations. At the International Medical Congress in Washington, D.C., in 1887, the following statement was subscribed to by the president of the congress and seventy-seven other members, including distinguished physicians from foreign countries :

In view of the alarming prevalence and ill effect of intemperance, with which none are so familiar as members of the medical profes-

sion, and which have called forth from eminent physicians the world over the voice of warning concerning the use of alcoholic beverages, we, the undersigned members of the International Medical Congress, unite in the declaration that we believe alcohol should be classed with other powerful drugs; that when prescribed medicinally, it should be with a conscientious caution and a sense of grave responsibility. We are of opinion that the use of alcoholic liquor as a beverage is productive of a large amount of physical disease, that it entails diseased appetites upon offspring, and that it is the cause of a large percentage of the crime and pauperism of our cities and country.

We would welcome any judicious and effective measures which would tend to confine the traffic to the legitimate purposes of medical and other sciences, art and mechanism.

INDIRECT EVIL EFFECTS.

A number of witnesses gave evidence making it clear that strong drink was a pre-disposing cause of, or a means of bringing on, other diseases, and often causing disease which would not ordinarily be classified as the result of intemperance. The evidence of Dr. A. P. Reid, who for ten years was superintendent of the General Hospital of Halifax, and for sixteen years superintendent of the Provincial Hospital for the Insane, presented this fact very forcibly. He said :—

The experience of ten years in our General Hospital shows me very clearly that though our statistics represented a very large percentage of sickness there as the result of intemperance, really if you figure out the wide influence it has, that the percentage would come, I suppose, up to ninety. That is, taking the history of our institution for the ten years I had charge. A woman comes in with typhoid fever or pneumonia. The previous history shows that the woman was living under conditions with which intemperance had a great deal to do, that if the means which should have gone to support her had been used for that purpose instead of having been used in drink, she would not have had typhoid fever or pneumonia. A man comes in with a broken leg and very likely he has to have it amputated, and sometimes such cases never rally. Again, we find that a man drinks two or three glasses of whiskey and runs in front of a car, which he would not have done if his head had been level. Another man comes in with inflammation of the lungs; it appears he had been on a spree and caught cold, and this attack followed; the disease is not put down in our report as a result of intemperance, but simply as pneumonia. When I figure up the results of sickness, I come to the conclusion—I may be wrong, but I really think not—that if there were any means by any possibility, of excluding the effects of alcohol on humanity, the hospitals would have to be closed, for

no one would have to go there, because those who go there now would be able to pay their way, for accidents and a large proportion of the disease result from the use of liquor.

This evidence was corroborated by other medical men of extensive general practice and hospital experience. Some of the strongest testimony on this point was given by witnesses who were not personally favorable to prohibition. As an example the following passage is submitted from the examination of F. Wayland Campbell, M.D., L.R.C.P., Dean of the Faculty of Bishop's College, Attending Physician of the Montreal General and Western Hospitals, and Medical Referee for the Dominion of Canada for the New York Life Insurance Company. The questions and answers are given in full.

Ques. From your experience, is there any large percentage of the cases which go into the hospital as the result of intemperance? —*Ans.* Yes ; a large proportion.

Ques. Are you prepared to name the percentage of persons who visit the hospitals for advice and assistance, who are ill, apparently, in consequence of intemperance? —*Ans.* I should say something in the neighborhood of seventy per cent ; but that is only an estimate.

Ques. There are a number whose troubles arise directly from drink. At what would you put that percentage? —*Ans.* Perhaps ten to fifteen per cent.

Ques. You think directly and indirectly, about eighty-five per cent. of the cases that go to the hospitals are due either directly or indirectly to the use of liquor? —*Ans.* I would say the abuse of liquor. I may also say that I have had nine years' experience in charge of 125 soldiers at the Military School at St. Johns, where I go several times a week, and there I believe that ninety-nine per cent. of the trouble of all soldiers is due to liquor.

PHYSICAL ENDURANCE AND TOTAL ABSTINENCE.

Some strong evidence was given showing that total abstainers have a decided advantage over drinkers in power to resist excessive fatigue, climatic extremes and other insanitary conditions. Hon. John Schultz, M.D., Governor-General for Manitoba, testified as follows in regard to this matter.

It is often asserted that the use of liquor is necessary with men who have to undergo unusual and long-continued fatigue, under circumstances which cause exposure to wet and cold, and it has occurred to me to cite in refutation of this assertion, the three military expeditions to this country. The first of these was in 1846,

when 400 men of the 6th Royal Infantry, with a small detachment of the Royal Artillery and Sappers and Miners were sent to the Red River Settlement by way of York Factory and had to transport over the many slippery, and often over rough and miry portages which intervene between Lake Winnipeg and the sea, a number of six and three pounder brass guns, mortars, shot and shell, and immense quantities of military stores, without any but the usual rations being served out. The next—Pensioners of the Royal Canadian Rifles—came over the same route in 1868, and more recently the better known expedition of Lord (then Colonel) Wolsely with a Canadian and British expeditionary force, which made themselves and their commander famous for the physical obstacles which they overcame, had simply a double ration of tea and not one drop of spirituous liquor. The official report of the great commander ascribes the health of his men and the speed of the expedition partly to that fact. His enforcing prohibition among troops who were doing the hardest possible work, and wet for days together, as a means of success in the rapid transit of his men and stores to the scene of action and his landing in Manitoba without the loss of a man, is refutation from a very high source, of the assertion to which I have referred.

INSANITY, IDIOCY AND HEREDITY.

It is very difficult to obtain absolutely accurate statistics as to the extent to which drink is a cause of insanity. Expert witnesses frequently referred to this difficulty. There was, however, a general consensus of opinion as to the fact that intemperate habits were both a direct and a predisposing cause of mental weakness and derangement.

One of the most startling features of this evidence was the unanimity with which the witnesses expressed the conviction that intemperance on the part of parents was chargeable in many cases with the degeneracy and frequently the idiocy of their off-spring. It is only practicable to submit some specimens of this convincing testimony. Some further facts relating to the hereditary evils of intemperance will be presented in a chapter dealing with vice and crime.

British Evidence.—A statement by Dr. Ley, Superintendent of the Prestwich Asylum in Lancaster, England, handed to Dr. McLeod, by Dr. Steeves, St. John, N.B., is the result of careful investigation into the causes of the cases of insanity which came under his treatment. He says :—

In about 27 per cent. no cause could be assigned, as nothing reliable could be ascertained in regard to the antecedents of those patients. Classifying the assigned exciting causes as mental and physical, the mental causes constitute 23 per cent., and the physical about 55 per cent. Prominent among the former are worry, anxiety, and domestic and pecuniary troubles. Of the physical, intemperance in drink is pre-eminent, reaching about 25 per cent. of all causes.

There are many authorities which bear out the foregoing statements. The fact that alcohol so promptly affects the functions of the brain, producing the temporary derangement which most inebriates manifest, prepares us for expecting such strong statements as the following.

Dr. Edgar Sheppard, medical superintendent of Colney Hatch Asylum, in a letter to the London Times, October 14th, 1883, said :—

For twelve years I have watched and chronicled the developments of the greatest curse which afflicts this country. From 35 to 40 per cent. is a fairly approximate estimate of the ratio of insanity directly or indirectly due to alcoholic drinks.

The British Medical Journal published a statement from the medical superintendent of the asylum at Carmarthen, England, in which he places the proportion of cases of insanity among the laboring classes, traceable to intemperance, as 35 per cent., and goes on to say :—

Yet even this is not the whole truth. We must add to this thirty-four per cent., the cases of those who owe their insanity to the intemperate habits of their parents.

Lord Shaftesbury, a few years ago said :—

I speak of my own knowledge and experience, having acted as commissioner of lunacy for the last twenty years and as chairman of the Commission during sixteen years, and have had, therefore, the whole of the business under my own observation and care, having made inquiries into the matter and having fortified them by inquiries in America which have confirmed the inquiries made in this country ; the result is that fully six-tenths of all the cases of insanity in these realms and in America, arise from no other cause than from the habits of intemperance in which the people have indulged.

The medical journal above quoted also states that the part which alcohol has played in the genesis of insanity in Ireland has been brought out in bold relief in a special

report recently issued by the inspectors of lunatics in that country. Of the medical superintendents of twenty-two district asylums, twenty agree that in their experiences the most prevalent cause of insanity, after heredity, is alcoholism. The proportion of cases of lunacy due to alcohol varies from 10 to 35 per cent. of the whole admissions.

United States Evidence.—Dr. Edward C. Mann, president of the New York Society of Anthropology, etc., recently made the following statement :—

Intemperance in drink heads the list of physical causes of insanity, and domestic trouble and grief the mental causes ; but out of over 2,000 cases of insanity we find intemperance in drink the cause of 577 cases or 27·4 per cent., and domestic trouble and grief in only 72 cases or 3·4 per cent. There can be no doubt that intemperance in drink induces insanity in fully 25 per cent. of all the insane cases in the United States either directly or indirectly. It is also responsible for very much of the imbecility and idiocy of the offspring of intemperate parents. Fifty per cent. of all our idiots and imbeciles are without doubt the offspring of drunkards. Where strong liquors are increasingly consumed we find a proportionate amount of alcoholic insanity. Where the consumption of alcohol doubles there we find the cases of insanity from intemperance will rise over fifty per cent. Increase in the number of suicides always follows increased consumption of alcohol, and suicide is a product of insanity.

Canadian Evidence.—Some gentlemen who have given special attention to mental disease and its causes were examined by the Commission, and their testimony agrees with that just set out.

Dr. A. P. Reid, already quoted, is superintendent of the Provincial Hospital of the Insane at Halifax, Nova Scotia. He considers it very difficult to correctly tabulate the causes of insanity, especially the predisposing causes. In the classification at the Halifax institution “unknown” is the largest class, being about 50 per cent. of the whole. Intemperance, he said, comes in with a half a dozen others ; but of those classified “unknown” a percentage, he believed, may fairly be traceable to drink.

Of intemperance as a predisposing cause, either in the patient or his progenitor, Dr. Reid said :—

This is a subject I should have mentioned when I spoke of hereditary transmission. You have first of all a tendency to

epilepsy and to nervous diseases as a result of lack of vigor. You take a family with nervous systems easily upset, and their children are predisposed to that condition, although they may pass their lives without difficulty. Take one of them and he has children ; these children are insane, being thrown off by very trifling causes. Then again, take the children of drunkards, I will not say drunkards exactly, but take the children of those who have destroyed themselves through the influence of liquor, and it interferes with the nervous condition of the children. I think we have quite an amount of predisposition to nervous affection as the result of such defects.

Dr. J. T. Steeves has for several years been medical superintendent of the New Brunswick Insane Asylum at St. John, N.B. In his evidence before the Commission he said :—

The insanity of about one-eighth of our patients is due directly to intemperance and one-eighth indirectly. Compared with other causes intemperance stands as the leading cause of insanity. It stands pre-eminently above any other cause. This is admitted on all hands. The other causes are dissipations of all sorts, troubles, anxiety, sorrow and so on.

In a letter to Dr. McLeod, at a later date, and referring to insanity reports, Dr. Steeves says :—

You will bear in mind that those tabulated under dissipations must be added to those under intemperance. Those under unrestrained vicious habits and felonious, nearly all have a history of intemperance and dissipation, but they are not so enumerated, they are left out to counterbalance a few duplications in readmissions of drunkards and dissipated subjects.

Dr. D. Clark has been medical superintendent of the insane asylum at Toronto, Ontario, for eighteen years. He testified that of 6,000 cases of insanity which he had carefully examined he found that nine and one-half per cent. were, without any uncertainty, produced directly by drink.

Of predisposition to insanity he said that fully 60 per cent. of those who came to the asylum are those who have inherited from their parents a tendency to insanity, and added :—

I have no doubt in my own mind that intemperance in parents produces almost absolute degeneracy in children, to a greater or less extent, mental degeneracy and physical degeneracy. I have watched closely those who are dipsomaniac, those who have intermittent bouts of drunkenness, but who, for months together, may hate the sight of liquor, then when this maniacal condition comes

on, nothing will stop them from having their drunken bout, if they can get liquor. A large number of those dipsomaniacs who have intermittent sprees, so to speak, are so from hereditary causes. The moment you get degeneracy in a child, you can scarcely tell in what direction it may make itself manifest. It might be hysteria, or a number of nervous diseases, it might be an inordinate taste for liquors, or it might be insanity pure and simple. "The fathers have eaten sour grapes, and the children's teeth are set on edge."

EXCESSIVE MORTALITY.

Related to the subject of disease is that of excessive mortality. The proportion of deaths directly and indirectly due to intemperance, it is, of course, impossible to accurately estimate. Sir Benjamin Ward Richardson, the eminent English physician, gives his views on this point in the following terms:—

It is difficult to calculate the precise mortality from alcohol, because we have never yet fully diagnosed all the evils leading to disease and death which spring from it. Some years ago, from the best data I could obtain, I estimated that in England and Wales the mortality from alcohol was 50,000 per annum, an estimate fairly confirmed by other observers who have made inquiries of an important and independent character. Admitting its correctness, this estimate makes the mortality from alcohol to be about one-tenth of the whole mortality—a view which had previously been expressed by the late Dr. Edwin Lankester, the coroner for Central Middlesex—and places alcohol, as one of the causes of mortality, at the head of those causes. This estimate, however, must have been under the mark, since it excluded altogether that fatality which we now know to arise from alcoholic paralysis, and excluded also, too rigidly, instances of direct poisoning from alcohol and all accidents of a fatal kind indirectly due to alcohol. I would not, however, run any risk of being charged with over-statement, and would be content still to place the mortality from alcohol at one-tenth of the whole mortality, in places where the article is consumed in the same proportion as in England and Wales at the present time, a proportion fairly representative of alcoholic populations generally.

Dr. Norman Kerr, a distinguished English physician, made an exhaustive study of this question and published the same in a work entitled "*Mortality of Intemperance.*" His estimate is far higher than that of Dr. Richardson. He believed that 120,000 deaths annually were traceable to drink. He says that he commenced the investigation

“with the avowed object of demonstrating and exposing the utter falsity of the teetotal assertion that 60,000 drunkards die every year in the United Kingdom.” From his statement the following is taken :—

It has been my painful duty to compute the mortality from inebriety within our borders, and the estimate which, after careful inquiry, I was enabled to lay before several scientific and learned societies was pronounced ‘moderate’ and ‘within the truth’ and has never been seriously disputed.

Dr. Wakely, M.P., late editor of the *Lancet*, and coroner for Middlesex, afforded ample corroboration of the moderation of my figures. Of 1,500 inquests held by him yearly, he attributed 900 at least to hard drinking, and he believed that from 10,000 to 15,000 persons died annually from drink in the metropolis, on whom no inquest was held. Taking London as one-tenth of the population of the United Kingdom, this would give 100,000 deaths from alcoholic indulgence over the country. Dr. Hardwicke pronounced my estimate of the direct and indirect mortality from alcohol to be ‘far within the truth.’ Dr. Noble, of Manchester, believes that one-third of our disease is due to intemperance, and Dr. B. W. Richardson that one-third of the vitality of the nation might be saved but for strong drink.

The National Temperance League’s Annual for 1889 (London) contains the following statement by Dr. W. Wynn Wescott, deputy coroner for Central Middlesex :—

I have made an analysis of 1,220 consecutive inquests held by me in London, and I cannot refrain from making the results public. I am not and have never been a total abstainer or an advocate of that cause, so there need be no fear that the figures are exaggerated. Of 1,220 cases of deaths, including deaths from violence, sudden deaths, persons found dead and deaths with regard to which no medical certificate is forthcoming, 470 were infants, children and persons below the age of sixteen years. These may be presumably removed from the list of deaths from alcoholic excess. Of the remaining 750 deaths, no less than 143 are recorded as being the result of chronic alcoholic disease, acute alcoholism, delirium tremens, suicide caused by drink, or of accidental death while drunk, or of accidents arising because of incapability when intoxicated—that is, one death in every 5·24. Only nine of the cases were of persons under thirty years of age, and but twenty-one cases were of persons over sixty years old.

In 1890 a very interesting investigation was made in the United States. The editors of two medical journals, having wide acquaintance among leading men of the profession, were requested to select a number of prominent medical authorities in various parts of the country, to

whom was submitted a series of questions framed so as to obtain their opinions as to the extent to which alcohol was a cause of the cases of disease which they were called upon to deal with, and also the percentage of deaths from such diseases which might be fairly attributed to alcohol. Taking the answers received and making from them a careful estimate, applied to all the mortality of the country, it is seen that the case is not overestimated when the deaths each year attributed to drink in the United States are placed at 80,000 or 100,000. This would be, say, from 10 to 12 per cent. of the whole mortality.

Insurance Statistics.—The minority report says: Life insurance companies generally recognize the injurious effects of alcohol; they make careful inquiry about the drinking habits of applicants; none of them will insure a man who is known to be a heavy drinker, and some of them give abstainers the advantage of larger profits. That the liquor traffic is considered dangerous by insurance companies, is shown by the fact that many of them refuse to take risks on bartenders and some others connected with the trade, even though they be abstainers. In England there are several life insurance associations which, by the experience of a number of years—a period long enough to base a judgment upon—have demonstrated the decided advantage, in the matter of longevity, of total abstainers. The Sceptre Life Association of London was established in 1864. The results are thus set forth:

This Insurance Company was established in 1864 to effect assurance chiefly upon the lives of members of religious bodies, as the founders of the association believed that a lower rate of mortality prevailed among that class than among the general public, in consequence of their more careful habits and quieter mode of life; and, as it was believed that total abstinence from intoxicating drinks was conducive to longevity, a section was formed for total abstainers, with the result that up to the present time it has been found that a much lower death rate has prevailed in that section than in that for non-abstainers.

From the latest statistics it appears that in the general section of that association between the years 1884 and 1892 the expected deaths were 943, and the actual deaths 716; whilst in the temperance section the expected deaths were 433 and the actual

deaths 241. In 1892, in the general section the actual claims amounted to 89·67 per cent. of the expected; whilst in the temperance section the actual claims were but 56·06 per cent. of the expected. In this Association all the members are stated to be of very abstemious habits; so that here we have a fair comparison between the death-rate of total abstainers and strictly moderate drinkers. About 60 per cent. of those insured during the last seven years have been total abstainers.

The results in the United Kingdom Temperance and General Provident Institution have been the same, as the following summary statement shows :—

Since the year 1866, an experiment has been made, in that Insurance Company, by insuring total abstainers, and non-abstainers from alcohol, in distinct sections, with the following results: "In the 24 years included between 1866 and 1889, the Temperance Section, which had expected claims amounting to 4,543 for £983,307, had only 3,198 actual claims for £664,832; whilst the General Section had 6,894 expected claims for £1,428,671 and 6,645 actual claims for £1,371,525. It will thus be seen that the actual claims in the Temperance Section, if calculated on policies, are about 70 per cent. of the "expected," while in the General Section they are 96 per cent. of the "expected."

This discrimination on the part of life insurance companies has not yet been generally applied to their tables of premium rates. The commissioners sent to the officers of these companies some special questions, in which, however, no enquiry is made as to their experience with risks on persons who drink or persons who abstain. The inquiries, and the commissioners' summing up of the answers relating to them, are as follows :—

Questions.

1.—Do you make any difference in insurance on life, between total abstainers and the users of intoxicants? (a) If so, what difference? (b) And why?

2.—Do you make any difference between those who use intoxicants moderately and those who use them to excess? (a) If so, what difference? (b) And why?

3.—If you make such difference, are your rates for abstainers as low, or lower than the ordinary rates of companies which make no such difference?

Answers.

1.—Affirmative	3
Negative	27
	—30

A few of the replies in the negative are qualified by the statement that a difference is made occasionally between abstainers and users of intoxicants. One company insures abstainers at lower rates.

2.—Affirmative	29
Negative	1
	—30

Of those answering in the affirmative several give their reasons. One company will not insure persons who use intoxicants moderately or immoderately.

3.—Negative	21
No reply	9
	—30

The answers in the negative indicate that the companies make no difference in rates for abstainers. Two or three have an arrangement in regard to the distribution of their profits between abstainers and non-abstainers separately.

The Temperance and General Life Association of Canada, and the Royal Templars Life Insurance Society of Canada and Newfoundland, as has been stated in evidence by their representatives, show like results. Mr. A. M. Featherston, Montreal, the chief officer of the latter society, said :—

Our record is something extraordinary in our death rate. Our average table is better than the mortuary table. Our members live longer than they have any business to, and that is because of their total abstinence. Within three years we have got over \$40,000 to our balance at the bank.

Mr. Henry Sutherland, Toronto, manager of the Temperance and General Life Insurance Society, said of those insured by his company :—

We have about twice as many total abstainers as the number in the general class ; and our charter compels us to keep them separate for all purposes. Our company has had an average of about twice as much business in its Temperance as in its General Section, taking its history throughout, and its losses have been practically the same amount in the two sections. This, in the face of the fact, that we are extremely rigid in our requirements with regard to the use of intoxicants by those accepted in our general section, proves, to my satisfaction at least, that total abstainers are much better risks, and likely to live much longer than those persons who are regarded as very moderate in their use of intoxicants.

The last annual report of this company, issued in January, 1895, states that in a division of the surplus amongst the policy holders entitled thereto, those in the temperance section were entitled, according to the experience of the

company, to one-third more on similar policies than those in the general section.

Mr. Sutherland in his evidence submitted to the commissioners some very important statements and among them the following quotation from Pallock and Chisholm's Medical Handbook of Life Assurance, by Dr. John M. Keating, Medical Referee of the Pennsylvania Mutual Life, and President of the Association of Life Insurance Medical Directors of the United States.

Intemperance is perhaps the most formidable enemy to the safe insurance of lives. It ranks before phthisis in its deadly effects on the human system. Not only is it often inherited, but organic ailments are by it originated and organic weakness crystallized unto disease. The tendencies to disease, as phthisis, gout, rheumatism, and diabetes, are by it converted into actualities. Its slow, insidious effects upon organs in hardening their connective tissue, and thereby contracting as by a band on their blood vessels and choking off their supply of blood, are exemplified in cirrhosis of the liver, but act also on the lung and kidney. By promoting the fatty degeneration of muscular tissue in the heart and the whole system of arteries, and favoring sclerotic changes in their coats, the circulation from its centre to its ultimately terminating branches is affected, and either by failure of the heart itself or by depriving the vessels of their elasticity and contractile power and favoring atheromatous changes in their coats, which lead to rupture and hemorrhages, it becomes a deadly agent. The vessels of the brain are sure to be involved and apoplexy rendered most likely. The degenerations of age are anticipated and precipitated by alcohol, and the dram-drinker is thus sure to have a shortened life.

The primary effects of alcohol on the nervous system—from nervous disorders, from various disorders of motion and sensation up to delirium tremens—are among the earliest but not the most fatal of its results; and the organic alterations which we have indicated are found rather in the dram-drinker than in the drunkard. It is the man who carries his drink well and is always under its influence who is in greatest danger. We must, therefore, decline to attach any value to the statements of an applicant or his friends, that he "never was known to be drunk."

Canada's Death Rate.—The total number of deaths recorded in Canada in 1891 was 67,688. Ten per cent. of that number would be 6,768. It is probable, however, that the death rate through intemperance in Canada is less than that in the other countries named,

inasmuch as the consumption of alcohol here is comparatively small. In an address made to the House of Commons in 1874, Hon. G. W. Ross, who had made a special study of the statistics of intemperance, estimated the annual loss of life in Canada through the liquor traffic at 4,000. In 1885 the Hon. George E. Foster, in a speech in Parliament, took 3,000 deaths per year as the number which might safely be set down as due to this cause. This, in view of the facts already set forth, must be regarded as a very moderate estimate.

CHAPTER VI.

IDLENESS AND PAUPERISM.

The estimate made in Chapter 4 of Part I, relating to the loss of working power suffered by the community through intemperance, is fully sustained by the testimony given before the Commission. Not only is it made clear that a great deal of pauperism is the result of intemperance, but it is also shown that the drinking habits of employees frequently entail heavy loss upon both themselves and their employers. Regarding the latter point the following statements made by witnesses are worthy of attention :

Roderick MacDonald, of Halifax, manufacturer, said, "When our hands were paid on Saturday we found that if there was a rainy Sunday afternoon, some of the men spent their earnings in the liquor shops, and it would be even Wednesday before we would get into shape and our machinery into full operation."

Wm. S. Sanders, of Halifax, Secretary of the Amalgamated Trades Unions and President of the Plasterer's Union, said that he thought one-fourth of the mechanics of Halifax would lose an average of two days per month through intemperance.

Thomas G. McMullen, of Truro, lumberman, said, "If we could get sober men who did not drink liquor at all, they would be worth twenty per cent. more to us." In reply to an inquiry as to how much time men lost through drink he said, "I think I would place it at about one day to the week as a general thing. Some men will lose more and others not so much, but that is the average."

John F. Gregory, of St. John, accountant, said in reply to the same question :—

Anywhere from 10 per cent. to 25 per cent. We pay once a fortnight, and twelve days is the maximum pay, sometimes the men draw for ten or eleven, and drinkers are apt to lose a day after pay day, and a day after a picnic, if one happens to occur.

Mark H. Wright of Charlottetown, manufacturer, said "Three days a month would be a low estimate I think for a drunkard."

In the evidence of Charles C. McKeen of Quebec, shoe manufacturer, is the following :

Ques. What proportion of time is lost in one month, on an average, by a drinking man on account of drinking?—*Ans.* The average drinking man is incapable of doing his work one day in the week. He may report for duty some day, but he is unfit for his work. We have men who will come in on Monday and work all day, but they do not do half a day's work.

Ques. In some establishments work is done by a gang of men, and one being away stops the others, I presume. Does that ever occur in your establishment?—*Ans.* Yes.

Ques. Are those cases due to the drinking habits of one man sometimes?—*Ans.* We had a case about two weeks ago. Four men stopped the output of an entire factory for three or four days.

Ques. All on account of drink?—*Ans.* Yes.

William Joseph Copp, of Hamilton, ironfounder, gave the following evidence :—

Ques. Are you able to form an estimate of about how much time the average drinking man would lose in the course, say, of a month, on account of his drinking?—*Ans.* It would vary. I have no doubt some will lose 10 per cent. or 20 per cent. of their time on account of drinking. I am not following the effect of the drink upon the man in all its ramifications, but I say he is not putting up as much work as he should do. I look upon it as a very serious detriment to a man when liquor takes hold of him, because it lessens his wage-earning power very largely.

Ques. It is sometimes stated that the work of some men in factories depends upon the work of another man, and depends upon his being at his post, and if, owing to drunkenness, he is not there, these other men are hindered in their work?—*Ans.* In our business it is particularly so with the moulders. They have their blowers, and if they are absent we lose the work of that blower. We have had serious losses from their absence throwing other men out of employment.

Dennis W. Karn, piano manufacturer, Woodstock, said :

I may speak especially of tuners who require to have a good deal of experience, and I have been compelled to keep them,

although they lost a good deal of time. I would say that during the twelve months there would be at least a loss of two months time, at the lowest estimate.

Hart A. Massey, manufacturer, Toronto, said :

Some of them lose much more than others. At Newcastle, I think we had some men who lost fully one-third of their time, and in some instances we have had good mechanics, men that we wanted to keep and could not very well part with, who would not work more than half their time. . . . Very often a man addicted to drinking is the leading man in a certain line of industry, and other men are dependent upon him ; and when he is away those men are thrown out of work.

PAUPERISM.

It was proposed to the Commission that questions should be sent to employers in regard to the matter above discussed. It was also proposed that questions should be sent to alms houses and other institutions for the relief of indigent persons. Such inquiries would have, no doubt, resulted in the obtaining of important information. A majority of the Commission, however, decided against these proposals, thus excluding from the report information relating to pauperism and its relation to intemperance. A number of the witnesses examined, however, gave information on this point. Some extracts from their evidence and some other statements contained in the minority report, are herewith presented. Rev Dr McLeod says :—

A carefully prepared report issued by the Bureau of Industries of the Province of Ontario, the latest issued, gives the results collected by thirty-three special agents in thirty-nine towns and cities relating to the earning and spending of workers, showing for all classes, including those with and without dependents, an average income of (\$410.36) four hundred and ten dollars and thirty-six cents per year, and an average cost of living of (\$364.61) three hundred and sixty-four dollars and sixty one cents per year. This makes for such workers a possible saving of (\$45.75) forty-five dollars and seventy-five cents each per annum. A slight depression of the earning power, or elevation of the cost of living, means hardship or debt.

British Evidence.—The Convocation of the ecclesiastical Province of York appointed a special committee to report upon the effect of intemperance. The committee consisted of the Very Rev. The Dean of Carlisle, the Venerable Archdeacon Cooper, the Venerable Archdeacon

Hamilton, the Rev. Canon Woodford, the Rev. Canon Crosthwaite, the Rev. Canon Henry Hildred Birch, the Rev. Canon Hey, the Rev. Chancellor Thurlow, the Rev. Joseph Birchall, the Rev. Charles Hesketh, and the Rev. James Bardsley, Convenor. These gentlemen made an extensive and exhaustive inquiry, sending out questions relating to the subject dealt with to clergymen, magistrates, constables, governors and chaplains of prisons and workhouses, superintendents of asylums, employers of labor and other persons. They published, in 1874, the result of their labors, giving extracts from 2,711 replies received. In summing up their report they said:—

Among the prolific causes of crime, pauperism and lunacy, your committee are led to give the drinking customs of the day the most prominent place; and further, the burden of poor rates is increased to a most oppressive extent by the same agency (drink). Your committee have been much struck by the returns on this subject, made by guardians of the poor, of whom one states his conviction that the poor rates they are now paying of ten pence in the pound would, but for intemperance, be at once reduced to four pence.

Ministers and chaplains of workhouses, in the evidence quoted by the committee, set out the proportion of paupers made so by drink, as being from two thirds to nine tenths.

A report adopted by the House of Convocation, based on these investigations, contained the following statement:—

It can be shown that an enormous proportion of the pauperism which is felt to be such a burden and discouragement by the industrious and sober members of the community, and has such a degrading and demoralizing effect upon most recipients of parochial relief, is the direct and common product of intemperance. It appears indeed that at least 75 per cent. of the occupants of our work-houses and a large proportion of those receiving outdoor pay have become pensioners on the public directly or indirectly through drunkenness, and the improvidence and absence of self respect which this pestilent vice is known to engender and perpetuate.

General William Booth, of the Salvation Army, in his well known work, "In Darkest England and the Way Out," presents an estimate that the number of homeless and starving people in the United Kingdom is 1,905,500. He says that 870,000 of these were in receipt of outdoor relief. As to the cause, General Booth has this to say:—

The drink difficulty lies at the bottom of everything. Nine-tenths of our poverty, squalor, vice and crime springs from this poisonous tap root.

United States Evidence.—The United States census for 1890 reports the number of paupers in almshouses on June 30th of that year as being 73,045, besides 24,220 outdoor paupers. It will, of course, be understood that the number of paupers in almshouses on a particular day of the year is not by any means a statement of the number of paupers in the country, the actual pauperism being greatly more than is indicated by the census figures. The cause of poverty there is the same as in Great Britain. A report of the Secretary of State of New York says :—

The whole number of paupers relieved was 261,252. During the preceding year 257,534. In an examination made into the history of the paupers of the State by a competent committee, it was found that seven-eighths of them were reduced to this low and degraded condition directly or indirectly through intemperance.

A report of the Commissioners of Charities and Correction of the City of New York says :—

The causes of pauperism and consequent disease and crime, have received careful and full investigation by those long enjoying favorable advantages of observation. Many reasons for this painful and rapidly increasing pauperism have been assigned, but that which takes precedence above and beyond all others is the curse of intemperance. The statistics of almshouses, work houses, penitentiaries, asylums and hospitals all attest this dark and gloomy fact.

The late Rev. Howard Crosby, D.D., a gentleman who was not at all inclined to favor prohibition, says :—

I have been watching for thirty-five years, and in all my investigations among the poor I never found a family borne down by poverty that did not owe its fall to rum.

Judge Robert C. Pitman sums up the result of inquiries in the State of Massachusetts in the following terms :—

The pauper returns, made annually for a long time to the secretary of state, show an average of about 80 per cent. as due to this cause in the county of Suffolk (mainly the city of Boston). Thus, in 1863, the whole number of relieved is stated at 12,248. Of these the number made dependent by their own intemperance

is given at 6,048, and the number so made by the intemperance of parents and guardians at 3,837, making an aggregate of 9,885.

The third report of the Board of State Charities, page 202 (January, 1867), declares intemperance to be the chief occasion of pauperism; and the fifth report says: "Overseers of the poor variously estimate the proportion of crime and pauperism attributable to the vice of intemperance from one-third in some localities up to nine-tenths in others." This seems large, but is, doubtless, correct in regard to some localities, and particularly among the class of persons receiving temporary relief, the greater proportion of whom are of foreign birth or descent.

In the sixth annual report of the Board of Health (January, 1875), page 45, under the head "Intemperance as the Cause of Pauperism," the chairman, Dr. Bowditch, gives the result of answers received from 282 of the towns and cities to the two following questions: "1. What proportion of the inmates of your almshouses are there in consequence of the deleterious use of intoxicating liquors? 2. What proportion of the children in the house are there in consequence of the drunkenness of parents?" While it appears that in the country towns the proportion is quite variable and less than the general current of statistics would lead one to expect, which is fairly attributable in part, at least, to the extent to which both law and public opinion has restricted the use and traffic in liquors, yet we have from the city of Boston, the headquarters of the traffic, this emphatic testimony from the superintendent of the Deer Island almshouse and hospital: "I would answer the above by saying, to the best of my knowledge and belief, 90 per cent. to both questions. Our register shows that full one third of the inmates received for the last two years are here through the direct cause of drunkenness. Very few inmates (there are exceptions) in this house but what rum brought them there. Setting aside the sentenced boys (sent here for truancy, petty theft, etc.) nine-tenths of the remainder are here through the influence of the use of intoxicating liquors by the parents. The great and almost the only cause for so much poverty and distress in the city can be traced to the use of intoxicating drink either by the husband or wife, or both." A startling testimony as to the effect of this cause in producing the allied evil and even nuisance of vagrancy is given in the answer from the city of Springfield: "In addition to circular I would say that we have lodged and fed 8,052 persons that we call 'tramps,' and I can seldom find a man among them who was not reduced to that condition by intemperance. It is safe to say nine-tenths are drunkards, though we have not the exact records."

The following are a few of the statements of witnesses, heard by the Commission, upon this point.

James W. Fleming, superintendent of the Halifax Poor Asylum, said that he thought one-third the inmates of that institution were brought there directly by drink and another third indirectly through the same cause.

Rev. Dr. Saunders, chaplain of the same institution, said, "The greater part of the inmates are there either directly or indirectly through strong drink."

In the evidence of Edwin J. Wetmore, secretary of the almshouse commissioners of St. John, are the following paragraphs :—

Ques. We understand you are also secretary of the Society for the Prevention of Cruelty to Animals : does your work in that society authorize you also to prevent cruelty to women and children ?—*Ans.* It does.

Ques. Have you had enough to do with the law to enable you to say whether any considerable percentage of the cases of cruelty in homes, cruelty to wives and children is traceable to the drink habit ?—*Ans.* It is a large percentage.

Ques. How large ?—*Ans.* Fully 75 per cent.

Ques. Have you stated what percentage of the pauperism is traceable to drink ?—*Ans.* I think it would be fully 60 per cent.

David McMillan of Montreal, secretary and superintendent of the Protestant House of Industry and Refuge, said :—

We have two houses. We have a house in the municipality of Longue Pointe, where we have from 118 to 125 or 130 ; and in the city we have a refuge, where we give night lodging to people who are destitute. . . . I believe that if they were sober and industrious we would not have any of them or very few
 . . . We gave 30,349 lodgings last year.

Sir William Dawson, C.M.G., F.R.S., LL.D., principal of McGill College, Montreal, said :—

I have had occasion to institute inquiries in regard to the pauperism of Montreal. I can confidently say that nearly all the want and destitution prevailing in this city is directly or indirectly attributable to the liquor traffic, and if the liquor traffic could be abolished entirely, there would be far less burdens cast on the benevolent societies and benevolent individuals of the city. The present progress is simply one of taking money out of the pockets of the benevolent people of the community and passing it, through the hands of these victims, into the pockets of the liquor sellers. That is an aspect of this question which in cities like this should never be overlooked. In work among the poor it is found that there are cases of absolute destitution arising from other causes, which need relief, but the greater part are directly or indirectly due to drink.

P. Itier, of Berlin, Ont., gave the following evidence :—

Ques. We understand that you have been, until recently, manager or superintendent of the House of Industry here ?—*Ans.* Yes.

Ques. How long since you gave up that position?—*Ans.* Just a month. I had held it about thirteen and one-half years.

Ques. During the time you were superintendent how many inmates did you have in the house?—*Ans.* About 85 on the average.

Ques. Was inquiry made as to the habits of those people in reference to the use of liquor, previous to their being received into the home?—*Ans.* I suppose there would be probably 75 per cent. who had been people of intemperate habits, and that was the cause of their trouble.

Where in other places the commissioners made similar inquiries the evidence was all in agreement with the facts already stated, that nearly all pauperism is traceable directly or indirectly to intemperance.

CHAPTER VII.

VICE AND CRIME.

In the majority report of the Royal Commission and in the appendices thereto are numerous tables of figures relating to the criminal record of Canada. These tables unfortunately are not arranged so as to show the relationship between the liquor traffic and the offence of drunkenness. Calculations showing ratios of offences per thousand and per million of the population for the chief cities and the different provinces, and referring to many years, are given, but are not arranged so as to be of any value to the student of the temperance question. The following statement prepared by Mr. George Johnson, Dominion Statistician, is instructive :—

During the ten years, 1882-91, there have been recorded for the Dominion 348,460 convictions. By years these convictions are as under :—

1882.....	31,305
1883.....	33,388
1884.....	29,536
1885.....	33,869
1886.....	33,874
1887.....	34,453
1888.....	37,649
1889.....	38,431
1890.....	38,540
1891.....	37,415

Total..... 348,460

By provinces these convictions are divided as follows :—

	TO YEARS.	ANNUAL AVERAGE.
Ontario	197,549	19,754
Quebec	82,909	8,290
Nova Scotia	14,203	1,420
New Brunswick	22,840	2,284
Prince Edward Island	5,473	547
Manitoba	15,934	1,593
British Columbia	8,193	819
The Territories	1,359	135
Total	<u>348,460</u>	<u>34,846</u>

According to classes of crime these 348,460 convictions are divided as follows :—

Murder, manslaughter, and attempts at... ..	265
Offences against females	847
Other offences against the person	47,826
Robbery with violence, burglary, house and shop breaking.	2,283
Horse, cattle and sheep stealing	421
Other offences against property.	30,530
Other felonies and misdemeanors.	1,435
Breaches of municipal by-laws and other minor misdemeanors	142,897
Drunkenness	121,956
Total	<u>348,460</u>

The animus of the majority of the commissioners is strikingly shown in the fact that in their report they do not quote any of the strong, overwhelming evidence given to show the responsibility of the liquor traffic for immorality of every kind. Such evidence was presented in profusion at every place where inquiry was held. The prominence given to these facts in the evidence is largely due to the earnest and faithful efforts of Rev. Dr. McLeod who pressed inquiries on the lines of every clause of the Commission's instructions. The conclusions from this vast array of convincing testimony are inevitable, yet the relationship between intemperance and crime is discussed by the majority report only in the following paragraphs, which need no further comment.

The buying and selling, or bartering, of intoxicants for beverage purposes can hardly be said of itself to produce injurious effects. Such evils as do arise flow from the misuse of the article bought and sold.

That many and grievous evils and much wretchedness and misery are caused by over-indulgence in the use of intoxicants, does not admit of controversy. It is impracticable to reach the number of individuals in the community who are guilty of such over-indulgence, and who thereby inflict injury upon themselves and their families, and dissipate means which might and should be applied to worthier objects. Considering, however, the repeated offences committed by those who so offend, the proportion of them to the total population of the Dominion, the undersigned believe to be comparatively small, and probably smaller in Canada than in any other country in regard to which it has been practicable to obtain information.

How much of the crime, poverty, and insanity of the country is to be attributed to the use of intoxicating liquors, cannot be accurately determined from any information accessible to the Commissioners.

In regard to crime, the evidence taken is fairly unanimous that the more serious offences, such as forgery, perjury, arson, etc., are committed by those who do not over-indulge in the use of intoxicants.

The proportions of the different classes of the pauper, insane and criminal population whose condition has been brought about by over-indulgence in intoxicating liquor cannot, the commissioners consider they are justified in saying, be accurately ascertained; and opinions on the subject are so varied as to be really of doubtful value.

DRUNKENNESS.

The tables given above show the extent to which drunkenness figures as an offence in the criminal records. The majority report in the quotations given, refers to the fact that the same person is frequently represented by different offences, but omits any mention of the vast amount of drunkenness which finds no record on police court books. Even the *convictions* for drunkenness as quoted, are far below the actual number of *arrests* for this offence. From a number of appendices is compiled the following table showing the figures for arrests in the principal cities of Canada for the year 1893 :

City.	Population.	Arrests for Drunkenness.	Ratio per 1,000 Population.
Halifax	39,225	762	19.42
Charlottetown	11,325	198	17.48
St. John	39,200	947	24.15
Moncton	9,145	82	8.96
Quebec	63,650	430	6.75
Sherbrooke	10,000	203	20.30
Montreal	235,000	2,440	10.38
Hull	22,500	86	6.88
Ottawa	47,850	261	5.45
Brockville	9,100	164	18.02
Peterboro	10,300	96	9.32
Kingston	20,520	322	15.69
Belleville	10,000	118	11.80
Toronto	200,000	3,644	18.22
Guelph	10,755	103	9.57
Hamilton	52,000	355	6.83
London	32,750	710	21.68
Brantford	13,340	217	16.26
St. Thomas	10,800	66	6.11
St. Catharines	9,065	88	9.70
Winnipeg	30,100	592	19.66

DRINK AS A CAUSE OF CRIME.

The absolute failure of the majority of the Commission to deal with the important question of the relationship of drunkenness to crime in general, adds the more importance to the minority report which deals with this question to some extent. Evidence of this relationship is so plentiful that it is only needful to refer to a few of the important facts that have been presented.

The connection between drunkenness and these deplorable results is forcibly set out by Felix L. Oswald, a well-informed and thoughtful writer in the following terms :—

1. Drunkenness excites the instinct of destructiveness and thus becomes a direct cause of violence and often of wholly unprovoked assaults.

2. Inebriety clouds the perceptive faculties and thus disqualifies its victims for judging the consequences of their acts or realizing the force of dissuasive arguments.

3. Habitual intemperance weakens the influence of self-respect and eventually almost deadens the sense of shame.
4. Intemperance tends to idleness, the parent of vice.
5. Intemperance is the chief cause of poverty, and thus indirectly of the crimes prompted by hunger and distress.
6. Alcohol tends to beget a disinclination to intellectual employment, and thus neutralizes a chief agency of reform.
7. Intemperance begets a hereditary disposition to idleness and vice.

The report of the committee of the Convocation of York, England, already mentioned, sets out a startling array of testimony from officials of all kinds who have to deal with crime, showing that drink is both a predisposing and an exciting cause of very much wretchedness and crime. Summing up this evidence, the report says :—

Many magistrates, governors of gaols, chaplains of gaols, and superintendents of police, concur in stating that of those crimes which obtain public notice, from 85 to 90 per cent. are the direct result of drunkenness. Others declare that the chief use of the police in their districts appears to be to look after the public houses and their frequenters ; whereas, in those cases where clergymen are able to rejoice in the fact that 'there is no known thief, rogue or vagabond in our parish,' they add, as a reason, that 'there is also no public house or beer shop.'

The report of the Ontario Prison Reform Commission, in 1891, says :—

Drunkenness does more than any other cause to fill the gaols, and it unquestionably does much to recruit the ranks of the criminal classes. Of the 11,893 persons committed to the gaols of the province during the year 1889 no less than 4,777 were charged with having been drunk and disorderly, and in all probability excessive use of strong drink was the chief cause of trouble in the case of 534 persons who were committed on the charge of common assault. Of the 11,587 cases disposed of in the police court of the city of Toronto 5,441 were cases of drunkenness and disorderly conduct caused by drunkenness. The proportion in the other cities, as will be seen by reference to the return published elsewhere, was about the same. The number of convictions on charges of drunkenness in the province during the year was 7,059, very nearly one third of the whole ; and of the 675 prisoners in the common gaols at the close of the year a very large proportion were habitual drunkards.

HEREDITARY VICE.

One of the most serious charges made against intemperance, and fully sustained, is that it creates such conditions

of heredity and environment as to make it almost impossible for a large proportion of children to become anything else than paupers and criminals. From birth they are handicapped by evil surroundings and tendencies that are the direct result of intemperance. Perhaps one of the strongest statements with reference to this, made by one who has given it very close and careful attention, and whose statements are generally accepted, even by those who do not agree with his proposed remedies for the conditions he sets out, is the following made by General Booth in the work already mentioned :—

Thousands upon thousands of these poor wretches are, as Bishop South truly said, 'not so much born into this world as damned into it.' The bastard of the harlot, born in a brothel, suckled on gin, and familiar from earliest infancy with all the beastialities of debauch, violated before she is twelve, and driven out into the streets by her mother a year or two later, what chance is there for such a girl in this world—I say nothing about the next? Yet such a case is not exceptional. There are many such, differing in detail, but in essentials the same. And with boys it is almost as bad. There are thousands who are begotten when both parents were besotted with drink, whose mothers saturated themselves with alcohol every day of their pregnancy, who may be said to have sucked in the taste for strong drink with their mother's milk, and who were surrounded from childhood with opportunities and incitements to drink. How can we marvel that the constitution thus disposed to intemperance finds the stimulus of drink indispensable? Even if they make a stand against it, the increasing pressure of exhaustion and scanty food drives them back to the cup. Of these poor wretches, born slaves of the bottle, predestined to drunkenness from their mother's womb, there are—who can say how many?

There is to be found in the thirtieth annual report of the executive committee of the Prison Association of New York, an estimate that the notorious Jukes family had cost the community in seventy-five years, nearly one million dollars. The history of this remarkable family is thus summed up :—

The ancestry of this family is traced to Max, a man who was a very hard drinker, and who became blind. Many of his descendants for two generations were also blind, and a multitude of them inherited his intemperance. One of the most notorious of his offspring was a woman named Margaret, of whose progeny Richard L. Dugdale writes :—"In tracing the genealogies of five hundred and forty persons who descended in seven generations from this degraded woman, and one hundred and sixty-nine who

were related by marriage or cohabitation, two hundred and eighty were adult paupers and one hundred and forty were criminals and offenders of the worst sort, guilty of seven murders, theft, highway robbery and nearly every other offence known in the calendar of crime." He estimates that the cost to the public of supporting this family of drunkards, criminals and paupers was \$1,308,000.

AN EXPERT'S TESTIMONY.

Probably the most systematic and thorough investigation into the relations of drink to crime ever made was that by Hon. Carroll D. Wright, chief of the Bureau of Statistics of Labor for the State of Massachusetts, who made, between 1st September, 1879, and 1st September, 1880, a thorough investigation of the personal history of all offenders sentenced in the county of Suffolk, including the city of Boston, for the years named, as well as the offences for which the sentences were imposed. From his report of this work and its results, the following paragraphs are taken :—

The total number of sentences for the year of our investigation, the distinctive rum offences included, was 16,877 ; 12,829 were directly due to rum causes, 12,221 being sentences for the various grades of drunkenness, and 68 for liquor keeping and liquor selling without license, etc.

Thus, for the year, the sentences for rum causes alone constitute 72 per cent. of the whole, leaving a small balance of 27 per cent. Now, to discover what was the influence of intemperance in the commission of this balance formed the object of this investigation.

We sought to compass the object of our investigation by ascertaining the connection between rum and the criminal in five directions : 1. Whether the criminal was under the influence of liquor at the time the crime was committed. 2. Whether the criminal was in liquor at the time he formed the intent to commit the crime. 3. Whether the intemperate habits of the criminal were such as to lead to a condition which induced the crime. 4. Whether the intemperate habits of others led the criminal to a condition which induced the crime. 5. What were the drinking habits of the criminal, whether total abstainer, moderate drinker or excessive drinker ? And for the purpose of enabling us to make this investigation as thorough and accurate as possible, we endeavored, through our agents, to acquaint ourselves with each criminal, his history, his friends, his neighborhood, his real name and the exact name and nature of his offence ; his residence, his occupation, his age and birth place.

In each of the nine courts of criminal jurisdiction in the county of Suffolk, we had an agent, paid to investigate each case that appeared in the same. It was the duty of these agents to interview each criminal separately, to hear his statements relative to the points of our inquiry; to follow the evidence offered in each case in open court; and to acquaint themselves, as far as practicable, with the circumstances connected with the past life of each criminal. The results of their several researches were transmitted at the end of each month to this office where the returns were carefully canvassed. All those which were satisfactory were filed away for future use; those which were not complete were returned with instruction that they be reinvestigated and corrected.

Mr. Wright gives the result of this thorough investigation in a series of tables that are very instructive. They are too extensive to be quoted in full, but their showing is epitomized by Mr. Wright in the following statements:—

It appears that 2,097 of the 4,608—which constitutes the 27 per cent. balance of crime—were in liquor at the time of the commission of the various offences of which they were found guilty. This number is equal to 45 per cent. of the 27 per cent. balance, or to 12 per cent. of the sum of all offences for the year, the distinctively rum offences included; that 1,918 were in liquor at the time of the formation of the criminal intent; that the intemperate habits of 1,804 were such as to induce a moral condition favourable to crime; that 821 were led to a criminal condition through the contagion of intemperance; that, of the 4,608 convictions, the total abstainers numbered 1,158, the moderate drinkers, 1,918, and the excessive drinkers, 1,317.

The above figures indicate the enormity of rum's share in the 27 per cent. balance of criminal cases in Suffolk county for the year of the investigation. They show that to the 72 per cent. for distinctively rum crimes must be added 12 per cent. representing the criminals who were in liquor at the time of committing other crimes, making a total of 84 per cent. of all criminal cases due directly or indirectly to the influence of liquor.

The other details given are equally interesting and important. For example, it is shown that of the 4,608 offences not directly related to the liquor traffic, the criminal in 2,097 cases was under the influence of strong drink. In 1,918 cases the intent to commit the crime was formed while the offender was under the influence of liquor, 1,804 of the offenders had been led to the condition which induced the crime through intemperate habits, and 821 had been led to the condition which induced the crime through the intemperate habits of others.

Mr. Wright who is now chief commissioner of the Department of Labor of the United States, and whose state-

ments are not the extravagances of an enthusiast, but the deductions of an expert statistician who had no object but to discover and set forth the bald and unquestionable facts, sums up the result of his examination thus :—

These figures paint a picture, at once the most faithful and hideous, of the guilt and power of rum. Men and women, the young, the middle aged and the old, father and son, husband and wife, native and foreign born, the night-walker and manslayer, the thief and adulterer—all testify to its ramified and revolting tyranny. Therefore the result of this investigation, in view of the disproportionate magnitude of the exclusively rum offences, and considered in connection with the notorious tendency of liquor to inflame and enlarge the passions and appetites, to import chaos into the moral and physical life, to level the barriers of decency and self respect, and to transport its victims into an abnormal and irresponsible state, destructive and degrading, calls for earnest and immediate attention at the bar of public opinion and the public conscience.

TESTIMONY OF EMINENT MEN.

The history of vice and crime is full of corroborations of the fact of the responsibility of the liquor habit for the lamentable things described. Sir Matthew Hale, Chief Justice of England, many years ago, said :—

The places of judicature I have long held in this kingdom have given me an opportunity to observe the original cause of most of the enormities that have been committed for the space of nearly twenty years ; and by due observation I have found that if the murders and manslaughters, the burglaries and robberies, the riots and tumults, the adulteries, fornications, rapes and other outrages that have happened in that time were divided into five parts, four of them have been the issues and products of excessive drinking.

Since then many other eminent men who have carefully studied the question have expressed the results of their observation in like terms, and even more emphatically.

The following may be added from distinguished authorities, gentlemen not in any way actively identified with the movement to prohibit the liquor traffic :

Among all causes of crime, intemperance stands out the unapproachable chief.—*Judge Noah Davis.*

Two-thirds of the crimes that come before the courts of law in this country (England) are occasioned chiefly by intemperance.—*Lord Chief Baron Kelly,*

If the cases appearing in all the calendars throughout England were taken, it would be found that seventy-five per cent. of the crime was traceable, directly or indirectly, to the inordinate love liquor.—*Justice Hawkins.*

I can keep no terms with a vice that fills our gaols, that destroys the comforts of homes and the peace of families, and debases and brutalizes the people of these islands.—*Chief Justice Coleridge.*

Drunkenness is not only the cause of crime, it is crime ; and the encouragement of drunkenness for the sake of profit on the sale of drink, is certainly one of the most criminal methods of assassination for money ever adopted by the bravos of any age or country.—*Ruskin.*

The great cause of social crime is drink. The great cause of poverty is drink. When I hear of a family broken up and ask the cause—drink. If I go to the gallows and ask the victim the cause, the answer is drink. Then I ask myself in perfect wonderment, why do not men put a stop to this thing?—*Archbishop Ireland.*

The more I examine and travel over the surface of England, the more I see the absolute and indispensable necessity of our temperance associations. I am satisfied that unless they existed we should be immersed in such an ocean of immorality, violence and sin as to make this country uninhabitable.—*Lord Shaftesbury.*

Drunkenness causes every year in England 60 000 deaths. According to the testimony of the magistrates, it is the source, directly or indirectly, of 75 per cent. of the crimes committed, causing the disastrous ruination of families and destroying domestic life, together with the practice of religion and the christian education of the children.—*Cardinal Manning.*

The diminution of the revenue from drink goes side by side with an increase and extension of the saving habits of the people. It has been said that greater calamities—greater because more continual—have been inflicted on mankind by intemperance than by the three historic scourges of war, famine and pestilence combined. That is true, and it is the measure of our discredit and disgrace.—*Gladstone.*

After all, if we hunt vice and crime back to their lairs, we will be pretty sure to find them in a gin mill. Drunkenness is the prolific mother of most of the evil doing. Drunkenness is the prime cause of all the trouble.—*Police Superintendent, New York City.*

The liquor traffic is responsible for nine-tenths of the misery among the working classes, and the abolition of that traffic would be the greatest blessing that could come to them.—*T. V. Powderly, ex-Grand Master Workman of the Knights of Labor.*

I do not overstate it when I say that the two hundred thousand saloons in this country have been instrumental in destroying more

human lives in the last five years than the two million armed men did during the four years of the civil war. Whiskey is a more deadly weapon than shot or shell or any of the implements of our modern warfare.—*Hon. William Wyndom, Secretary of the Treasury, United States.*

EVIDENCE OF JUDGES.

Three hundred circulars were sent by the Commission to judges and magistrates, in which were set out seven questions, six of which related to legislation and will be considered further on. One hundred and sixty-seven replies to the circulars were received. The first question was in the following form :—

In your opinion, what proportion of the criminal cases which have come before you is attributable, directly or indirectly, to the use of intoxicating beverages ?

The answers are classified by the Commission as follows :

Under 10 per cent.	8
10 per cent. to 25 per cent.	11
25 " 50 " 	9
50 " 75 " 	65
Over 75 per cent.	15
Indefinite	53
No reply	6

167

It will be noticed that a large number of answers are indefinite. This no doubt means simply that the persons replying did not give their answers in percentage form, many of them, however, probably being overwhelming evidence that drink is a cause of crime.

OPINIONS OF CLERGY.

Circulars containing seven questions were sent to the clergy of the different denominations and replies received from 2,465. Four of the seven questions referred to prohibitory legislation and will be considered hereafter. The first three questions have relation to the subject of the present chapter and with the answers given, are in full as follows :—

Question.

1.—From your experience and observation as a clergyman, do you consider the use of intoxicating liquors in any shape as hurtful morally and socially ?

Answers.

Affirmative	2,123
Negative	272
Replies indefinite	60
No reply	10

2,465

Question.

2.—What from such experience and observation is your opinion of the effect of the use, in any degree, of intoxicating liquors on the family and domestic relations, and on the care, education and prospects of children ?

Answers.

Hurtful	2,147
Harmless	204
No experience	3
Replies indefinite	75
No Reply	36

2,465

Question.

3.—From such experience and observation, do you believe that in families where intoxicating liquors are used in moderation, the effect is detrimental to the social and moral habits, the domestic relations and the education and prospects of children ?

Answers.

Affirmative	2,050
Negative	337
No experience	3
Replies indefinite	57
No reply	18

1,465

SOME CONDENSED EVIDENCE.

A volume might be filled with extracts from the evidence given by the witnesses examined by the Commission all bearing out what has already been stated. A few extracts are submitted which are little more than specimens of a great mass of recorded testimony :—

Montreal.—Judge De Montigny, recorder of the city of Montreal, one of the presiding judges of the city court, gave evidence to the effect that of the several thousands of cases which come before him each year, including “disorderly conduct, refusing to work for a living, indecent exposure, living on the profit of prostitution, begging without permission, and other charges, amounting to 5,436 for the year 1890, the most of them may be traced to drink.” Of houses of prostitution, he said: “It is generally liquor that has brought those girls there.” And of lunacy cases which come before him, half of them are due to drink. Of the effect the drink trade has on business interests he said:

It has the effect that when a man begins to drink and gets into the habit of drinking, he does not care if he loses his honor, his reputation and his fortune. It has the effect of ruining a man in his soul and in his body, and putting him in an asylum.

Of the effect the liquor traffic has upon the people engaged in it, he said:—

It is awful, because they generally become drunkards themselves, and their children grow up with bad habits. And the spending of so much money in liquor injuriously affects the working classes. If you see a family in a poor condition and asking for charity, or to be helped through the winter, you are sure to discover it is due to the drinking habit of the head of the family.

He said, also, that the drunkards—

Are from all classes of society. . . . If we had not the abuse of liquor in this country we would have the best people in the world, and I think it would not be necessary to have a recorder in the city of Montreal; at all events, he would have a good time if there were no liquor.

Judge Dugas, of Montreal, gave similar testimony. Of the cases which come before his court, he said: “To intemperance, leaving aside the professional criminals, I attribute 80 per cent. or 90 per cent.” Of the professionals he said: “I think they all drink, but they take great care not to drink before committing their depredations.”

Mr. Andrew Cullen, chief of the Detective Police Service of Montreal, told of the deplorable condition to which the drink habit reduces its victims, and cited a number of instances.

Mr. Samuel Carsley, merchant, Montreal, president of the Association for the Protection of Women and Children,

told the commission that, having made careful examination of the large number of cases with which the association has had to deal, he was convinced that over 90 per cent. were caused by intemperance. "We put that as the minimum," he said: "you may say nearly all the cases."

That drunkenness and related offences are not becoming less under the license system of Montreal is made plain by the report of the Recorder's Court for 1894, compiled and issued by Mr. Forget, clerk of the court. Such offences as the following have greatly increased:—Drunkenness, keeping disorderly houses, inmates and frequenters of disorderly houses, assaults on police, assault and battery, malicious damage to property, threatening language, vagrancy, violation of liquor license law by licensees, selling liquor without license, etc. The cases of drunkenness alone in 1894 were 1,098 in excess of the cases in 1893.

Alarming as is the official summary of the cases dealt with by the court, it appears, according to the evidence given before the Commission by Mr. Forget, clerk of the court, to be much below the actual facts. He said:—

A large number of persons who are arrested for being drunk, especially on Saturday night, are, however, discharged by the police, and never appear before the Recorder's Court. The number of these cases is about two-thirds of the number that go before the court. This applies to Saturday rather than to any other day of the week. When a man is so drunk that he cannot walk the officers will bring him to the station, and if he is not known as a loafer and has created no disturbance, he is often discharged by the sergeant of the station when he gets sober. When the person is not convicted the offence is not reported.

Halifax.—Police Magistrate Motton, of Halifax, said that drunkenness is increasing in that city; that juvenile offences in many instances are attributable to the intemperance of parents; that boys are now committing the offences which were committed by grown-up persons in former years; that fifty per cent. of the fines imposed by the court are for drunkenness alone; and that a considerable proportion of other cases before the court are due to drink.

Mr. John Naylor, secretary of the Halifax Society for the Prevention of Cruelty to Women and Children, said that eighty per cent. of the cases with which the society has to deal are caused by intemperance.

St. John, N.B.—The records of the St. John, N.B., police court show that of all the cases dealt with drunkenness alone furnishes over 60 per cent., the percentage in some years being even higher. Mr. G. A. Henderson, for seventeen years clerk of the court, said that fully one-half of the other cases is due to liquor. Of cases of theft, he said, the offenders are, as a rule, people of intemperate habits; and of juvenile offenders there are very few cases in which the parents are not addicted to drink. Hon. R. J. Ritchie, police magistrate, confirmed the statements of the clerk of his court.

Quebec.—Mr. A. E. Déry, recorder of the city of Quebec, said the great majority of the arrests made by the police are for drunkenness; that the larger proportion of the criminal cases tried by him are attributable to drink; and that the greater proportion of crimes would not be committed if there were no liquor. The chief of police confirmed the recorder's statement, saying that three-fourths of the arrests are for drunkenness.

Toronto.—Toronto claims to be, and probably is, as well regulated as any large city in Canada, which licenses the liquor traffic. The convictions for drunkenness are not far below 50 per cent. of all the cases which are brought before the police court. The police rule is not to arrest a drunken person unless he is disorderly or so incapable that he is liable to be injured or suffer loss. And, besides, many are arrested who are not taken before the court. In 1892, 800 such persons were discharged when they had become sober.

Chief of Police Grassett said the liquor traffic undoubtedly adds largely to the offences and crimes, other than drunkenness, which are committed in the city. He said :—

Assaults and crimes that are the outcome of drunken associations and surroundings; young girls, through the neglect of their drunken parents, fall into bad habits—prostitution and larceny; in fact, a great many of the cases on the criminal calendar of that character are in my opinion either directly or indirectly connected with drunkenness and its consequences.

Mr. J. J. Kelso, Toronto, guardian of dependent and neglected children, who has the superintendence of such

work not only in Toronto but throughout Ontario, said the work in which he is engaged is made necessary by the intemperance of parents. "I am satisfied," he said, "that fully three-fourths of the children who need the attention of the public, are reduced to this state through the drunken habits of their parents." He also told the Commission that during eight years of newspaper work, when he came to have much knowledge of police courts, he became convinced "that nearly all the crimes were committed when the criminals were more or less under the influence of liquor."

Warden Massie, of the Central Prison, Toronto, who has had an experience of thirteen years with prisoners, said that of 12,402 received into the prison since its establishment 9,892 were classed intemperate and 2,513 temperate. In the latter class all the moderate drinkers are included, the abstainers being the small proportion. His acquaintance with the personal history of those who had been in his keeping warranted him in saying that "there is not the least doubt that the liquor traffic is in a considerable degree a producer of crime." He said also that much of the neglect which results in criminal habits in children is traceable to the drinking habits of parents, and that the idleness which becomes the mother of crime is induced by intemperance.

Sir Leonard Tilley, for forty years in public life, a member of the Government of Canada for many years, and for twelve years Governor of the Province of New Brunswick says :—

I have been fifty-five years a teetotaler and pretty actively identified with the whole movement, and everybody who has watched it must see the deleterious effects the traffic has morally, socially, physically and in every other way upon the people. *

* * * When we consider the expenditure that takes place for intoxicating beverages, and what should also be considered, the loss of time and other losses indirectly connected with it, the effect upon the human system in weakening and destroying it, and also in the production of crime and poverty, the consideration of the business results is one of secondary importance.

The late Rev. Dr. Douglas, than whom no clergyman in Canada was more widely known nor more highly honoured, said :—

I would emphasize the point that in my experience, in this city, the effect of the liquor traffic on our young men of the best families has been pathetic and appalling. I can think of some of the best families in which one son after another has gone down to a drunkard's grave and to an appalling end.

Bishop Bond, of the Church of England, Diocese of Montreal, a man greatly honoured not only in the communion of which he is chief pastor, but in other branches of the church, says :—

In my experience the suffering and distress of families is very largely caused by intemperance. There is nothing which in so large a degree produces so many miseries and so much neglect of religion as the drinking habit. Take away the facilities for getting drunk and you save a great number of men.

A leading minister of the Methodist Church, Rev. Dr. Potts, Toronto, says :—

My favouring prohibition grows out of my observations as a minister in the cities in this country—in London, in Hamilton, in Montreal and in Toronto. I believe that the liquor traffic is the prolific source of an overwhelming majority of the instances of poverty and trouble of various kinds.

Rev. Alfred Leon Sentenne, priest of Notre Dame, Montreal, one of the leading clergymen of his church, says :—

Drunkenness is one of the greatest scourges of the community. A good deal of domestic trouble and wreck of lives is traceable to drink.

To the foregoing may be added the statements of two gentlemen now prominent in the administration of the affairs of the country. The Hon. Sir Oliver Mowat, for the last twenty-two years Prime Minister of Ontario, said, very recently :—

An enormous proportion, probably three-fourths, of the vice that prevails at the present day, of the crime which they had to contend with, of the lunacy, the idiocy, the poverty and the misery of every kind, is owing to the foul evil of intemperance.

The Hon. Geo. E. Foster, Minister of Finance of Canada, says :—

As the eye of citizen, philanthropist or Christian, sweeps the present or gazes out into the future, what curse looms up so darkly? What enemy of man works so incessantly or with such fatal results? To measure all the waste of wealth, the destruction of labor, power, and the burdens caused by that poverty, crime and disease which are its constant outgrowths, would tax

the strongest powers of the most gifted political economist. To estimate the pain, the shame, the suffering and death of soul and body, which ever follow in its wake, would simply call for more than human capacity. For a vice which mocks the hopes of humanity and withstands the beneficence of Deity, this has no equal. What fatal inactivity is it which allows any good man to be for one moment idle or unconcerned in the face of so monstrous an evil, and one which stands full across the pathway of our country's progress?

The minority report, after a summing up of the foregoing facts, forcibly says, that the liquor traffic is the most inveterate foe of all social interests; "that nothing else makes such relentless war upon home and all the sacred interests that centre there. It is established, also, that the visible evil effects are but a small part of the sad record. Back of them, and deeper, there is a devastation which has never been fully shown, and which it is impossible to more than imperfectly record. The violations of family affections and the destruction of domestic peace—who can tabulate them? What is seen is merely the overflow of miseries, the full measure of which is known only to Him who sees all things."

CHAPTER VIII.

RESPONSIBILITY OF THE TRAFFIC.

It seems hardly needful to undertake any argument to prove what the evidence secured by the Commission makes absolutely clear, that the terrible evils referred to are not only directly traceable to strong drink, but are intensified and extended but the liquor traffic. The minority report forcibly sets this out as follows :—

The consumption of intoxicating liquors has been promoted, no doubt, by wrong ideas in reference to their nature and effects. This ignorance is being dealt with and corrected by the dissemination of knowledge, notably by the teaching of what is known as scientific temperance in public schools. Another factor in encouraging and extending drink consumption is, undoubtedly, the customs of society and the habits they create. Idleness frequently contributes its share as a cause of indulgence in drink. Trouble and poverty impel some to seek in the excitement of liquor a relief from these trials. It is, however, manifest that without facilities for the supply of drink the causes named would be to a great extent inoperative. The common traffic in intoxicating beverages supplies these facilities. That traffic, carried on by persons who are naturally desirous of doing as extensive and profitable a business as possible, is in itself a temptation and an incentive to drinking practices. Much of the drink habit in a community is thus directly brought about by the operation of the drink traffic.

The drink habit is specially characterized by its tendency to rapid growth when it is fostered. The liquor traffic differs from other business which simply furnishes a supply of that of which there exists a demand. The sale of liquor is generally recognized by those who have studied the subject as a cause of drinking, and as being chargeable with the drunkenness that exists and the evils that follow drunkenness.

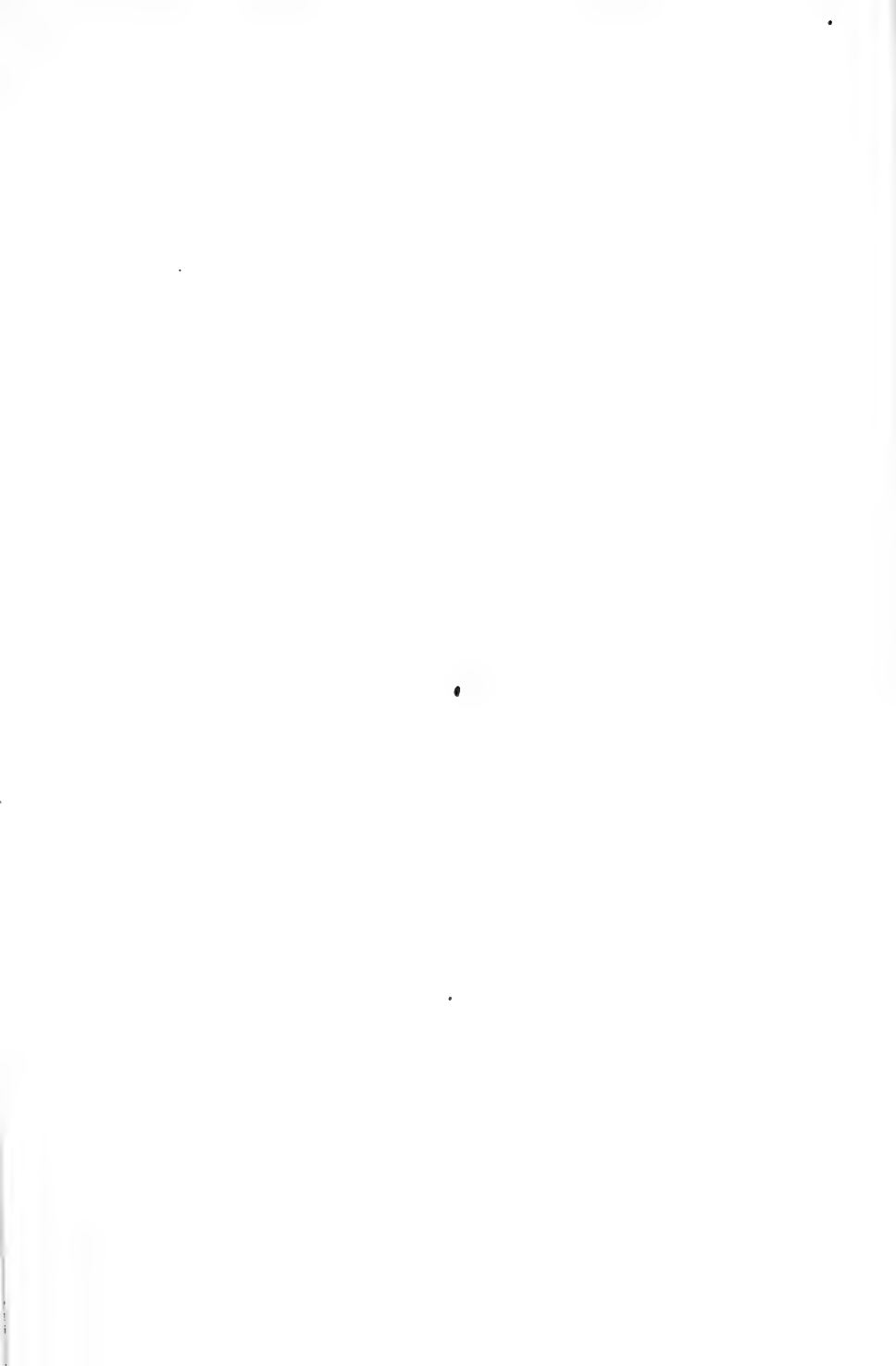
The report of the Convocation of the Province of York, already quoted, declares that :—

The multiplied facilities for obtaining drink may be regarded as the greatest conducing cause of intemperance. The returns invariably show that when these facilities are increased, drunkenness increases also ; that when they are lessened, there is a corresponding diminution in intemperance ; and this rule seems to operate with all the force of a natural law.

Nearly all the liquor legislation at present in existence, is based upon the theory that the traffic in drink promotes the vice of drunkenness. Restrictions, prohibitions, conditions are imposed with the object of protecting the community to some extent from the evils which that traffic so surely brings. There is little need for proof of this patent fact. Two quotations from the minority report are added, the first is in the words of the late Cardinal Manning, who had given much attention to this subject, and the other is a statement by Hon. George E. Foster, who had studied it in all its details.

It is mere mockery to ask us to put down drunkenness by moral and religious means when the Legislature facilitates the multiplication of incitements to intemperance on every side. You might as well call upon me as the captain of a sinking ship and say, ' why don't you pump the water out ? ' when you are scuttling the ship in every direction. If you will cut off the supply of temptation I will be bound by the help of God to convert drunkards ; but until you have taken off this perpetual supply of intoxicating drink we never can cultivate the fields.

No intelligent observer will, for a moment, attempt to deny that a large part of the intemperance of our people arises from the multiplied facilities for drinking which are set up and maintained by authority of our laws. These facilities act as a school in which the A B C of drunkenness is taught to each generation of youth, and as powerful and invincible temptations to those whose appetite has been already set.



PART II.

The measures which have been adopted to Lessen, Regulate or Prohibit the Traffic.

CHAPTER I.

THE TOTAL ABSTINENCE MOVEMENT.

The second subject on which the Commission was asked to report is : "The measures which have been adopted in this and other countries with a view to lessen, regulate or prohibit the traffic."

The measures referred to are no doubt legislative measures. In this connection, however, the work done by temperance organizations and churches must not be ignored. Inquiry was made by the Commission regarding this work, and in the appendices to the report are articles upon temperance work in Nova Scotia, New Brunswick, Prince Edward Island, Quebec and Ontario, from which statements a few interesting facts may be gleaned.

The earliest form of organized temperance effort in this country seems to have been the formation of a temperance society at West River, Pictou County, Nova Scotia, in 1827, when a pledge was written and signed by a few persons.

On April 25th, 1828, another temperance society was organized at Beaver River, Nova Scotia. The following pledge was drawn up and eight signatures to it were obtained :

We, the undersigned, firmly believe that the use of intoxicating liquors as a beverage is injurious to the bodies and souls of mankind in general, both spiritual and temporal ;

And to remedy this great and spreading evil, we whose names are hereunto annexed do forever renounce the use of such, except when prescribed by a physician as a medicine in case of sickness ; And we pray Almighty God to establish our hearts and strengthen our serious resolutions.

After some months more names were added. The society increased in numbers and influence, and is still in active operation. The movement thus inaugurated grew slowly at first, but secured a firm place in the appreciation of the people of the Maritime Provinces. That part of the Dominion is still a stronghold of advanced temperance sentiment.

The first recorded temperance convention was held at Halifax in 1834. An address to the Lieutenant-Governor stated that the meeting represented 14,000 persons. The address made special reference to the fact that intemperance was exerting a strong influence in perpetuating and cherishing the existence of the cholera, which was then prevalent in the town.

Church temperance societies were the next phase of the movement. One was organized among Roman Catholics in Montreal in 1840. Later on the Sons of Temperance began operations. They were followed by the Independent Order of Good Templars. Other orders and organizations have also done some work, but the two just named obtained the greatest hold upon the public and are still the strongest, numerically speaking. The Royal Templars of Temperance formed by the union of some previously existing organizations has lately come into prominence as an active force in a similar field. Previous to its organization the W.C.T.U. had been established, and had almost immediately sprung into public favor. It is still wide-spread, strong and influential.

Temperance societies have been organized in connection with nearly every church represented in Canada. Many of these churches have as organizations taken advanced positions in reference to total abstinence and total prohibition. The attitude and deliverances of these bodies will be referred to more fully in Part VI. of this book. At present the legislative measures into which the Commission inquired will receive more attention.

CHAPTER II.

LEGISLATIVE MEASURES.

The report of the Commission and the appendices thereto contain interesting summaries of the statutes that have been enacted in Canada from time to time relating to the liquor traffic. This information is, however, less useful than the summaries also given of existing legislation.

The earliest form of license law enacted in Canada, as in other countries, seems to have been simply the imposition of a fee, and was probably enacted mainly from a revenue standpoint. Very soon, however, the evil results of the liquor traffic commanded attention and laws were passed restricting to some extent that traffic's operation.

At first the fees and restrictions imposed were light. They gradually increased. Higher fees were exacted; enactments relating to manufacturers and dealers in intoxicants were extended so as to regulate the quantities of liquor disposed of in one act of sale, requiring the licensee to have a good reputation, limiting the number of licenses to be issued, discriminating between sales of liquor to be consumed on the premises on which it was sold and sales of liquor to be removed. The sale of liquor manufactured by the dealers from the products of their own farms was at first exempt from the operation of the law. The scope of legislation was extended; the sale to aborigines was prohibited; inspection was provided for.

At first licenses were issued by the general government. This power was subsequently delegated to municipalities. Later on these municipalities were given more authority to enact regulations controlling the liquor traffic; but the

tendency now is towards retaining the right of licensing in the hands of provincial authorities. A share of the control of the local liquor traffic has been given under certain circumstances to the electors interested, and local option in some form is now established in every part of the Dominion.

About the middle of the present century a prohibitory agitation sprang up in the United States and spread to Canada. A number of the states enacted prohibitory laws of varying stringency. In 1855 the Legislature of New Brunswick, under the leadership of Hon. S. L. Tilley, enacted a prohibitory law which was, however, repealed before there was time to judge of its effectiveness.

Early in the history of the Dominion a law of total prohibition was enacted for the Northwest Territories. It was very effective at the time, but its value was subsequently much impaired by the free issue of permits, to which reference will hereafter be made.

In 1864 the Legislature of Canada passed the Dunkin Act, and in 1878 the Canada Temperance Act came into operation. The British North America Act did not define the respective powers of the Dominion Parliament and Provincial Legislatures in relation to the question of prohibition, and disputes in reference to the jurisdiction of these respective bodies in the matter have hitherto delayed liquor legislation.

When the Commission reported, a series of questions had been submitted to the courts with the object of settling this matter, and, pending the decision, work for legislative action was at a standstill. While waiting for this decision, however, temperance people had taken up the plan of testing public opinion by means of plebiscites on prohibition, and the legislatures of different provinces had provided for general voting on the question. The result of these plebiscites will be found in Part VI.

Herewith is presented a summary of the present Dominion and Provincial legislation relating to the liquor traffic, and some similar information regarding the liquor laws of the United States and other countries

CHAPTER III.

DOMINION LEGISLATION.

The liquor legislation of the Dominion Parliament deals mainly with the raising of revenue for national purposes. Licenses are issued to distillers, brewers, malsters and compounders. Excise duties are imposed upon the product of distilleries and malt houses and on beer not manufactured from malt. Customs duties are imposed upon all intoxicating liquors imported.

The license fee for a distillery is \$250, for a brewery or a malt house \$100, for a compounding establishment \$50.

The excise duties imposed are as follows :

On spirits.....	\$1.50 per gal.
On malt	1½ cts. per lb.
On beer made from other substances than malt	10 cts. per gal.

The custom duties imposed on imported liquors are as follows :

On spirits including brandy, gin, rum, whiskey absinthe, cordials, alcohol, etc.	\$2.12½ per gal.
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On wines according to the following scale :—

Per dozen for quarts.....	\$3.30
“ “ “ pints	1.65
“ “ “ half-pints.....	.82

In packages larger than one quart, for
the amount over one quart..... 1.65 per gal.

Also on all, 30 per cent. ad valorem.

On malt liquor as follows :—

Imported in bottles, per gallon.....	24 cts.
Imported in casks, per gallon.....	16 cts.

Vermouth and ginger wine containing not more than 40 per cent. of proof spirits, 75 cts. per gallon. If stronger, the charge is the same as for spirits.

An Act providing for the licensing of the liquor traffic throughout the Dominion, popularly known as the McCarthy Act, was passed in 1883. It was, however, declared by the courts to be *ultra vires* of the Dominion Parliament, the privilege of licensing the sale of liquor being held to belong exclusively to the provincial authorities.

There is a stringent Dominion law prohibiting, under severe penalties, the sale of intoxicating liquors to Indians.

Another general Act provides for the prohibition of the sale of liquors under certain conditions near a public work in the course of construction.

There is also in operation a law entirely prohibiting the manufacture, importation or sale of intoxicating liquors, except by special permission in writing of the Lieutenant-Governor, in or into any part of the great District of Keewatin which as yet has scarcely any population except Indians and traders. The penalties for violation of this law for a first offence, range from \$50 to \$200, or in default of payment imprisonment for a term not exceeding six months; for the second offence the penalty is a fine not exceeding \$400 and not less than \$200, and also imprisonment for a term not exceeding six months.

The courts have held that the Dominion Parliament has no right to enact legislation for the licensing of the sale of liquor; that the Dominion Parliament has authority to pass legislation prohibiting the liquor traffic; and that a Provincial Legislature has authority to enact legislation licensing and restricting the sale of liquor. The question of the authority of a Legislature to prohibit the liquor traffic has not yet been decided.

THE CANADA TEMPERANCE ACT.

Under its right to prohibit the liquor traffic the Dominion Parliament passed in 1878 a general local option law entitled the Canada Temperance Act, more commonly known as the "Scott Act." A summary of its provisions is herewith presented.

On a petition to His Excellency the Governor-General in Council, signed by one-fourth of the electors in any county or city of Canada, asking for a vote under this Act, a proclamation is issued, appointing a returning officer and fixing a voting day. Voting is

by ballot. If more than half the votes polled are in favor of prohibition the Act is adopted for the city or county. When half or more of the votes polled are against prohibition no similar petition shall be voted upon for three years. The Act must remain in force three years before being repealed. There are elaborate safeguards providing for secrecy in voting, preservation of the peace and prevention of corruption.

The Governor issues an Order in Council bringing the result of the voting into operation. The Order must be issued within sixty days from the voting and takes effect not less than ninety days from its issue.

Where adopted, the Act prohibits the selling or keeping for sale of intoxicating liquor subject to the following exceptions:—

(1) Wine for sacramental purposes may be sold on a clergyman's certificate; (2) Liquor may be sold on a physician's certificate or prescription, exclusively for medicinal purposes; (3) Liquor exclusively for use in some art, trade or manufacture may be sold on the certificate of two Justices of the Peace; (4) Wholesale dealers in liquor may sell in quantities of not less than ten gallons, the liquor to be immediately carried outside the territory in which the law is in force. Such sales, if not by wholesale, must be only by druggists or vendors specially authorized, who are required to record all sales and make returns thereof to the collectors of Inland Revenue.

Everyone who directly or indirectly violates the Act shall be punished as follows: For a first offence, a fine of not less than \$50. For a second offence not less than \$100. For a third or subsequent offence imprisonment not exceeding two months. A medical man giving a false certificate is liable to a fine of \$20 for a first offence and \$40 for a subsequent offence.

Employees are equally guilty with principals, and liable to the same penalty. All intoxicating liquors in respect of which offences have been committed, and their packages, shall be forfeited and may be destroyed.

The Act makes special and effective provision for the procedure to be taken in its enforcement. Every prosecution must be commenced within three months of the offence. The finding of intoxicating liquor, with appliances for sale, is presumptive proof of law violation. It is not necessary to prove the payment of money if the facts show unlawful disposal. The wife or husband of an accused person is a competent and compellable witness. Tampering with witnesses or compromising offences is punishable with imprisonment not exceeding three months with hard labor. Imprisonment is provided for default in payment of fines.

CHAPTER IV.

LICENSE LAWS OF THE DIFFERENT PROVINCES.

As has been said, the control of the sale of intoxicating liquor is in the hands of the provincial legislatures and laws relating to it have been enacted by all the provinces.

In nearly every instance the provinces have among their enactments provisions under which the electors of a municipality or other political sub-division may prohibit the retail sale of liquor. This result is sometimes obtained by directly authorizing local bodies to enact prohibitory by-laws, sometimes by giving the petition of a certain number of inhabitants a veto power against the issue of licenses, and sometimes by requiring applicants for licenses to secure in favor of their applications the signatures of a large proportion of the electors. The municipal divisions which have local power under these provisions are generally less in area and population than the counties and cities to which the provisions of the Canada Temperance Act may be applied. A great many places have availed themselves of the power thus given. Before the time of the making of the Commission's report the question of the jurisdiction of legislatures to enact such prohibitory legislation had been raised, and a series of test questions framed with a view to securing a definite decision upon that point is now before the courts.

Summaries of the legislation in operation in the different provinces are to be found in the report and appendices. The principal provisions of them are the following :

NOVA SCOTIA.

Municipal councils appoint a chief and assistant inspectors, who must be members in good standing of temperance societies.

Licenses are divided into hotel, shop and wholesale licenses. They are signed by the mayor or warden and chief inspector, and are limited to one year.

Hotel licenses authorize sale to bona fide guests or lodgers, to be drunk at their meals or in their rooms. No bars are allowed. Shop licenses authorize sale in quantities not less than one pint, and not to be drunk on the premises.

The fees are, for a hotel license, \$150; shop license, \$100; wholesale license, \$300; brewers' wholesale license, \$150.

Every application for license must be made to the municipal council and accomplished by a certificate signed by two-thirds of the ratepayers within a certain area.

Every hotel to be licensed must have a certain number of furnished bedrooms and a well appointed eating house. In country places it must have also stabling for at least six horses besides those of the proprietors.

If the first application be refused on the ground of non-fitness, a second application shall not be entertained for two years.

No license shall be granted to a member of a municipal council or an inspector.

Each license holder must furnish two sureties to be approved by the chief inspector, for \$150 each, and enter into a bond for \$500, to guarantee payment of all fines and penalties.

The revenue from licenses belongs to the municipality.

Hours of closing are, nine o'clock at night, and from six o'clock Saturday night until seven o'clock Monday morning. Liquor may be sold on Sundays to lodgers during meals to be used at table but not to be drunk in their rooms.

Penalties for infraction are \$100 first offence; \$100 and 2 months gaol every subsequent offence.

No payment except in money or by cheque may be taken for liquor by a hotel keeper, under a penalty of \$20. Any pledge given may be recovered, or any payment made in advance, even if the liquor be afterwards supplied.

There is a penalty not exceeding \$50 for sale to a drunken person, or for allowing gambling on the premises, or for supplying liquor to a constable on duty, or to a minor.

Every licenseholder who knowingly sells to a person not a licensee, liquor to be resold, shall incur a penalty of \$50 and shall not be entitled to recover the price.

In any municipality where there are no licenses, the council may appoint an agent for the sale of liquors for medicinal, mechanical and manufacturing purposes.

Druggists are allowed to sell under certain restrictions.

Near relatives, curators, etc., may require the chief inspectors to notify license holders not to sell to drunkards, minors, lunatics, etc.

In case of death by suicide or accident due to intoxication, the liquor seller is responsible for damages not exceeding \$1,000.

NEW BRUNSWICK.

Inspectors of licenses are appointed by municipal and city councils.

Licenses are of two classes, tavern and wholesale. Taverns may not sell in greater quantities than one quart; wholesale dealers not less than one pint.

The license fees are fixed by the council; but cannot be less than \$50 nor more than \$200 for taverns, and not less than \$100 nor more than \$400 for wholesale in towns and cities; in other districts \$25 to \$200, and \$50 to \$200, for taverns and wholesale respectively.

An application for license must be accompanied by a certificate signed by one-third the ratepayers of the polling division in which the place of sale is situate, the genuineness of the signatures and the qualification of signers to be established on oath.

Licenses may not be granted if a majority of the ratepayers in a city, town or district petition against them.

The number of licenses shall not exceed, in towns and cities, one for each 250 of the first thousand population and one for each full 500 over 1,000, in parishes, one for each 400 up to 1,200 population, and one for each full 1,000 beyond 1,200.

Any council may, by by-law, still further limit the number of licenses to be issued, or may ordain that no license shall be issued.

The license fees and fines shall be applied for payment of salary of inspector, and expenses incurred in carrying out the law, the balance to be paid to the treasurer of the municipality for public uses.

No sale is allowed from 7 p.m. Saturday till 6 a.m. Monday, nor after 10 p.m. until 6 a.m. on the following morning, on all other nights of the week.

No sale or other disposal of liquor is allowed within the limits of a polling subdivision on any day in which a vote of any kind is being taken.

Selling or giving liquors to intoxicated persons, drunkenness, violent or disorderly conduct on the premises, permitting a constable on duty to remain on premises, or supplying him with liquors by gift or sale, is punishable by a fine of \$50; or selling or giving liquors to a minor either for himself or any other person is punishable by a fine of \$20.

License cannot be granted to sell liquor in any place where groceries or other merchandise are sold, or in any place connected with such store.

A tavern-keeper cannot be appointed to or hold office as justice of the peace, or be elected to serve in any town, city or municipal council, or hold any office in the appointment of any town, city, or municipal council, or be elected to, appoint or serve as a trustee of schools.

The penalties for selling without license are : for first offence, \$50 ; second offence, \$80 ; third offence, \$80 and three months imprisonment, with hard labor.

Magistrates may forbid sales for one year to persons who have in open court been shown to be wasting their property, injuring their health, or endangering the peace of their families. Any husband, wife, father, mother, guardian, tutor, or person in charge of asylum, hospital or other charitable institution, may require the inspector to give notice to any license dealer that he is not to sell to such persons connected with them, or under their control, as have become addicted to excessive drinking.

Whenever, in any place where liquors are sold, whether legally or illegally, any person has drunk to excess, and while in a state of intoxication, has come to his death by suicide or drowning, or from cold or other accident occasioned by such intoxication, the keeper of said place, and also any person or persons who delivered to such person liquor, shall be liable to an action as for personal wrong at the suit of the legal representatives of the deceased person, who may recover not less than one hundred or not more than one thousand dollars.

PRINCE EDWARD ISLAND.

Temperance sentiment is very strong in the Province of Prince Edward Island. Before the enactment of the Canada Temperance Act by the Dominion Parliament, this province had a license law in operation. The province contains three counties and one city, in all of which the Canada Temperance Act was almost immediately adopted. The Legislature then passed an Act suspending the operation of the license law in every place in which the Canada Temperance Act was in force.

In 1891 the city of Charlottetown repealed the Scott Act by a majority of 14 votes, and for about a year there was no law in force relating to the liquor traffic which was carried on without any special legal restrictions.

An attempt was made to secure provincial legislation reviving the license Act so as to make it applicable to Charlottetown. The sentiment of the province was found to be so strong in favor of prohibition and so much averse to any legislation authorizing liquor selling, that the Legislature refused to revive the license law. Unrestricted sale of liquor however, was productive of consequences so serious that in 1892 the Legislature enacted a law

imposing certain restrictions upon all persons engaged in liquor selling, but making no provision for the issuing of licenses, the authorization of sale, or the collection of any revenue from the traffic.

This legislation provided that any place in which liquor was sold should have but one door, and that opening on the public street, should have no screens or curtains on any window, no stall or other partition within, and no furniture beyond a counter. The hours of opening and closing were also fixed and it was ordered that no other business than liquor selling should be conducted on the premises.

This condition of affairs lasted only for a short time. The Scott Act was again adopted in Charlottetown in 1893 and is now the law of the whole province.

QUEBEC.

The Quebec License Law is complicated. It provides for the issuing of licenses for temperance hotels, restaurants or bars on steamers, dining or buffet railway cars, wholesale or retail liquor stores, railway stations or lunch counters, taverns in mining districts, the sale of liquors by sample, the sale of wine, ale, beer, lager, porter, and cider, the sale of home-made cider and wines, the trade of bottler, and sale by druggists. The Provincial Treasurer may also grant special licenses for the sale of liquors at agricultural and industrial exhibitions, at pic-nics and at races.

No intoxicating liquor may be sold or given in rural municipalities, at auction sales, ploughing matches, fairs or political meetings, nor during municipal or school elections, except wine or beer, and that only at table during meals.

License fees run from ten dollars which is the fee for a license to sell apple cider or native wines, up to eight hundred dollars, which is the highest hotel license fee charged in Montreal. Licenses grade according to their character, and the locality, between these sums.

The penalty for selling liquor without licenses is \$150 in Montreal, \$120 in any other organized territory, and \$60 in any portion of un-organized territory. Licenses are issued by the collectors of revenue. The applicant must secure a certificate of his honesty, sobriety and good repute. In some cases this application must be signed by one-fourth of the resident municipal electors. In the cities of Quebec and Montreal a certificate cannot be obtained if a majority of the electors of the Ward petition against it.

Outside the cities of Montreal and Quebec, the certificates must be confirmed by decision of the Municipal Councils, which may refuse to confirm for good reasons. In the city of Quebec the confirmation is by the police court, judge of sessions, or recorder.

In the city of Montreal by the police court, two judges of the sessions and recorder, or any two of them.

A relative or curator of any person who drinks to excess may notify licensees not to sell such person intoxicating liquors. If a licensee disregards this notice, the party giving it may prosecute him for personal damages. The proprietor of a place where liquor is sold is liable to an action for damages, if a person who has become intoxicated in his establishment meets with death through some cause resulting from the intoxication.

Habitual drunkards may be interdicted, and in the discretion of the court committed to an establishment for the reception of habitual drunkards. Private asylums for the treatment of habitual drunkards are authorized by the Lieutenant-Governor, and are under official inspection.

Municipal councils may make by-laws for closing at 7 p.m. on Saturdays, and 10 p.m. on other days. They may also pass by-laws prohibiting the sale of liquor within the limits of their jurisdiction. In such cases sale may be allowed by a specially authorized person, for medicinal purposes, on the certificate of a physician or a clergyman.

ONTARIO.

The following are the principal provisions of the License law of the Province of Ontario, commonly known as the Crooks Act :—

The province is divided for license purposes into 96 districts for each of which the Provincial Government appoints three commissioners who have the sole right to grant or withdraw licenses, and an inspector to enforce the law.

The license fees are fixed by statute. They form in each district the license fund from which the expense of administering the license law is paid. Part of the remainder goes to the municipalities and part to the province. Municipal councils have power to increase the fees, such increase to be for their own use.

Municipal councils also have power to limit the number of tavern and shop licenses to be issued.

Every applicant for license for premises not previously under license is required to produce a certificate signed by a majority of the electors of the polling subdivision in which the premises sought to be licensed are situate, to the effect that the applicant is a fit and proper person to be licensed, that the premises are suitable and are situate in a place where the carrying on of the business will not be an annoyance to the general public.

Licenses are divided into shop, tavern and wholesale. Shop licenses authorise the sale of liquor not to be consumed on the premises and are confined to places in which no other goods are sold. The holder of a tavern license is required to have certain accommodation for guests.

No licenses are granted to vessels or ferries, nor to license commissioners or inspectors.

Beer and wine licenses are granted for a reduced fee to persons to sell lager beer, ale, porter and native wines containing not more than fifteen per cent. of alcohol, or light foreign wines containing not more than fifteen per cent. of alcohol, in quantities less than one quart.

Chemists and druggists registered under the Pharmacy Act are permitted to sell liquors for medicinal purposes in quantities of not more than six ounces, such sales to be recorded in a book kept for the purpose.

Unincorporated societies or clubs and those incorporated under the Act respecting benevolent, provident and other societies, together with their members, are prohibited from selling or keeping, or having liquors upon their premises for sale or barter.

Sales of liquors in licensed premises are prohibited from the the hour of 7 o'clock on Saturday night until 6 o'clock on Monday morning, and on all election days.

A license commissioner or inspector or license holder is not eligible to a seat in a municipal council.

Sales of liquors to minors under 18 years of age are prohibited, and also to those under the age of 21, after notice not to do so from the father, mother, guardian or master.

Inn-keepers and holders of licenses are liable to the legal representatives of a deceased person if he has come to his death by suicide or drowning, or has perished from cold or other accident while in a state of intoxication, and having become so intoxicated on the premises of such inn-keeper or holder of license.

Search for liquor may be made either with or without warrant in all unlicensed places where liquors are suspected of being sold, and if liquors are found they may be confiscated and destroyed.

It is the duty of every officer, policeman, constable or inspector, in each municipality, to see that the several provisions of the Act are duly observed.

Municipal councils may by by-law ratified by the electors, prohibit wholly the issue of any tavern or shop license within the boundaries of the municipality.

Habitual drunkards may be interdicted as in Quebec, or may be committed to places licensed by the Government for their interdiction, the expense being borne by their friends.

MANITOBA.

The license law of Manitoba is much like that of the Province of Ontario. The principal provisions of a different nature being the following :—

An applicant for a new license in a rural place must present a certificate signed by sixteen out of the nearest twenty house-

holders to the place in which he proposes to sell liquor. The renewal of a license may be prevented by a petition signed by eight out of the nearest twenty householders.

The statutory license fees are paid to the Provincial Government. Municipalities may by by-law require licensees to pay toward the municipal revenue such sums as they may determine not greater than the provincial license fees.

Municipal councils may pass by-laws prohibiting the sale of liquor within their respective limits. Such by-laws shall be submitted to the electors on a petition of twenty-five per cent. of them. A three-fifths vote shall be necessary to secure the adoption of the by-law. Such a by-law, or the repeal of it must remain in force at least two years and cannot be changed except by the same formalities as those through which it was adopted.

The penalties for violation of the law are :—For a first offence from \$50 to \$250, for a second offence from \$200 to \$500, for a third offence from \$500 to \$1,000 ; proportionate imprisonment is provided in case of default.

NORTH-WEST TERRITORIES.

The principles and methods embodied in the license laws of Ontario and Manitoba have been followed in the license laws of the Northwest Territories, the following being the principal points of difference :—

An applicant for a license outside a town must present the recommendation of ten out of the twenty householders nearest to his premises, and certain affidavits that he is twenty-one years of age, has never been convicted of felony, etc. The license fee is \$200, to be paid to the Government. Town municipalities may require the payment for their own purposes of an additional amount, not in excess of the government fees.

The local option provisions of the law are similar to those of Manitoba with the difference that the petitioners for the taking of a vote on a by-law must pay to the commissioners \$200 to defray the expense of the voting.

BRITISH COLUMBIA.

In cities licenses are granted by a board of license commissioners, composed of the mayor (or substitute), the police magistrate, an alderman, and two justices of the peace chosen by the council. In township or district municipalities, licenses are granted by a board of commissioners composed of the reeve (or substitute), two councillors, and two justices of the peace chosen by the council.

To obtain a license in a city, a petition has to be sent in to the board of license commissioners by the applicant, and also a petition or requisition signed by two-thirds of the lot owners, and two-thirds of their wives (if any), also by at least two-thirds of the

resident householders and their wives living with them (if any) on the block of land within which the place to be licensed is situated, and the same proportion of the same classes on the block on the same street opposite the premises to be licensed. In the case of a corner house being proposed to be licensed, the same classes in the same proportions opposite to each front of the said house have to sign the requisition.

No new license can be issued in any city or town municipality containing a population of less than 1,000, unless in addition to other requirements and provisions, a petition or requisition in favour of the granting of such license, signed by at least two-thirds of the lot owners and resident householders, and the wives of such lot owners and householders living with them within the city or town municipality in which the premises sought to be licensed are situated, shall be presented to the board of licensing commissioners. The holders of licenses issued prior to the passing of the Municipal Act of 1891, namely, 20th April, are not required to make application for a renewal of their licenses. They simply require to pay each six months the amounts of their license fees, and apparently their licenses continue, except under the conditions hereinafter referred to. No new license is granted or renewed for a longer period than six months, and no such license is saleable or transferable under any conditions.

A stipendiary magistrate may, in open court held in the county within which the person concerned resides, prohibit the selling by any licensed person of liquor to a drunkard, the law defining the meaning of the term "drunkard," and inflicting penalties for selling or procuring, contrary to such order, liquor for such drunkard, except under the direction of a medical practitioner or minister of religion. The drunkard may himself make application for such order. Penalties are imposed upon licensed vendors selling to intoxicated persons.

Prior to the law of 1891, there does not appear to have been any provincial enactment prescribing the hours of opening and closing licensed places, or against the sale on Sunday or any part of Sunday. The municipal councils had, it is true, been empowered to make by-laws in regard to these matters, but it would appear that the municipal authorities had taken no efficient action on the subject, seeing that the Provincial Legislature found it necessary in this year (1891) to enact that there should be no selling in licensed places between eleven o'clock on Saturday night and one o'clock on Monday morning.

License fees are fixed by the Provincial Government, but are paid to the municipal authority of the municipal districts in which they are issued. They vary, according to their character and locality, from \$50 to \$200.

The provincial law does not contain any local option provisions, and, as nearly all the licenses were issued prior to the change in the law made in 1891, only those seeking new licenses are required to obtain the petition or recommendation of the lot owners and householders provided for in the law.

The number of licenses which may be issued is not restricted under the general law, but selling to drunkards, minors and Indians is prohibited.

CHAPTER V.

LIQUOR LAWS OF THE UNITED STATES.

In the United States the laws relating to the liquor traffic are enacted by the separate states. The national government imposes certain taxes upon all liquor dealers, custom duties upon imported liquor and excise duties upon manufactured liquor. The taxes imposed other than customs and excise duties are the following :

Wholesale liquor dealers	\$100 00	per year.
Retail liquor dealers	25 00	"
Wholesale dealers in malt liquors ..	50 00	"
Retail dealers in malt liquors....	20 00	"

Manufacturers of stills are also taxed. The duties on liquors manufactured are, ninety cents per gallon on spirits, and one dollar per gallon on fermented liquors.

The national government exacts these taxes and duties everywhere, regardless of whether the parties paying are in states that license the liquor traffic or states that have prohibitory laws.

General prohibitory laws are in force in several states, namely, Iowa, Kansas, Maine, New Hampshire, North Dakota, South Dakota and Vermont. Prohibition is also the law in Alaska and the Indian Territory under special enactment of the general government.

All the other states excepting South Carolina and Ohio have license laws. South Carolina has a dispensary law under which the liquor traffic is carried on by government officials. Ohio has a tax law which practically is the same thing as license legislation.

Local option, that is, prohibition in certain localities, exists in different forms in the following states : Alabama, Arkansas, California, Colorado, Florida, Georgia, Illinois, Kentucky, Louisiana, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Jersey, New Mexico, New York, North Carolina, Ohio, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, Wisconsin.

The majority and minority reports both discuss at much length the provisions and working of the prohibitory and license laws in operation in these states. A good deal of the information that is scattered through the evidence of many witnesses is much more intelligently condensed in a summary of the license and prohibitory laws in force in 1891, as given in the *Hand Book of Prohibition Facts*, an interesting manual edited by W. F. Copeland and published by the Funk & Wagnalls Co., of New York, London and Toronto. This summary is as follows :

PROHIBITORY LAWS.

The following is a brief summary of the laws, constitutional and statutory, in force in states that are under a general prohibitory law throughout their entire extent. It does not aim to be complete, but only to present the principal features of each State's laws.

Maine.—The Constitutional Amendment, adopted September 8th, 1884, provides : " The manufacture and sale of intoxicating liquors not including cider, and the sale and keeping for sale of intoxicating liquors, are and shall be forever prohibited. Except, however, that the sale and keeping for sale of such liquors for medicinal and mechanical purposes and the arts, and the sale and keeping of cider, may be permitted under such rules as the legislature may provide." Previous to the passage of the Constitutional Amendment, a statutory prohibitory law had been in force since 1851, except two years, from 1856 to 1858. The Constitutional Amendment is reinforced by stringent statutory laws, among the features of which are : Imprisonment two months and fine of \$1,000 for manufacturing intoxicating liquor for sale (except cider) ; peddlers taking orders fined \$20 to \$500 ; transporting liquors illegally, \$50 fine ; common sellers fined \$50 and imprisoned 10 days for first offence, for subsequent offences, 6 months and \$200 ; an officer may seize without a warrant liquor intended for unlawful sale ; for advertising liquors, \$20 fine ; the possession of a United States permit is *prima facie* evidence of common seller ; bringing liquor into the State, or carrying it about, \$500 fine ; keeping drinking place, \$100 and 60 days ;

agents are appointed to sell for medicinal, mechanical, and manufacturing purposes only, under bond of \$600, and if convicted of illegal selling, they are disqualified for the position.

Vermont.—A statutory prohibitory law has been in effect since 1852, though it has been amended and strengthened from time to time. No Constitutional Amendment has ever been submitted. Agents are appointed to sell for excepted purposes as in Maine, under bond of \$600 ; if anyone sells liquor in violation of law, he forfeits \$10 for first conviction, \$20 and one month imprisonment for second, \$20 and three to six months for third ; common seller, first conviction \$100, subsequent convictions, imprisonment four to twelve months ; bringing liquor into the State, \$20 ; second conviction \$50 and three to ten months ; places where liquor is kept and sold unlawfully are common nuisances, and shall be abated as such ; tenant engaged in unlawful traffic forfeits right to premises ; lessor knowingly permitting such use, fined \$20 to \$200 ; officer neglecting to prosecute, fined \$20 to \$100 ; payment of United States special tax prima facie evidence of being a common seller, and of the place being a nuisance.

New Hampshire.—The prohibitory law is very defective, prohibiting sale only, and not manufacture. It was passed in 1855. Town agents may sell spirituous liquors to be used in the arts, and for medicinal, mechanical and chemical purposes and wine for the sacrament, only ; a person not a town agent who shall sell or keep for sale spirituous liquors shall be fined \$50, and for subsequent offences, \$100 or 90 days' imprisonment or both ; common seller, fined \$100 and imprisoned not more than six months ; exposing signs, bottles, liquor labels, or a United States special tax receipt is prima facie evidence of violation of liquor law ; domestic wine or cider—except to be drunk on the premises—is not prohibited, nor are sales of "original packages" as imported into the United States. A Constitutional Amendment was submitted in 1889, but was defeated.

Kansas.—The Constitutional Amendment, passed November 2nd, 1880, provides : "The manufacture and sale of intoxicating liquors shall be forever prohibited in this State, except for medicinal, scientific, and mechanical purposes." Only druggists are permitted to sell for excepted purposes, under bond of \$1,000 not to violate the law ; petition for such permit must be signed by 25 reputable women over 21 years of age ; a physician prescribing or administering liquor in evasion of the law is fined \$100 to \$500 or be imprisoned 10 to 90 days ; purchaser must make affidavit that he wants liquor for medicine and not for beverage ; to manufacture for excepted purposes, one must have petition signed by 100 voters, and file bond for \$10,000 not to sell except to duly authorized druggists ; persons selling without permit fined \$100 to \$500 and imprisonment 30 to 90 days, and a druggist not keeping a record of sales, the same ; places where liquors are sold or manufactured unlawfully are nuisances, and the county attorney or any citizen may maintain action for abatement, and injunction

shall be granted at commencement of each action, without bond ; persons violating an injunction fined \$100 to \$500 and imprisoned 30 days to six months ; any person causing the intoxication of another person is liable for the charge of the intoxicated person and \$6 a day besides ; the county attorney may summon anyone he believes to have knowledge of a violation of the law ; county attorneys failing to prosecute violations of the law are fined \$100 to \$500 and imprisoned 10 to 90 days and forfeit their offices ; any person (not duly authorized) who receives an order for liquor shall be punished for selling ; druggist selling to a person who he has been notified by relatives uses liquor as a beverage, punished as a seller ; treating or giving liquor to any minor, punished by a fine of \$100 to \$500 and imprisonment 30 days to six months ; common carriers knowingly delivering liquor to a person to be used unlawfully, \$100 to \$500 fine and 30 to 60 days' imprisonment ; selling liquor in soldier's homes, \$500 fine, or imprisonment one year, minimum or both.

Iowa.—A Constitutional Amendment was adopted in 1882, but was invalidated through a clerical error that occurred in the journal of the Legislature. A statutory law was passed in 1884, and strengthened by further enactment in 1886 and 1888. District Court may issue permits for the sale of intoxicating liquors for pharmaceutical and medicinal purposes, and wine for sacramental purposes ; notice of application for a permit must be published three weeks in a newspaper of the city, town, or country ; bond \$1,000 ; permits are deemed trusts reposed in the recipients, not as matters of right, and may be revoked by the court upon sufficient showing ; a permit-holder must obtain through the county auditor a certificate authorizing him to purchase liquor ; any person making false representation upon papers required under the Act is fined \$20 to \$100 or imprisonment 10 to 30 days ; selling without permit, by any device, \$50 to \$100 for first offence, \$300 to \$500 with imprisonment not exceeding six months for subsequent offences ; in cases of unlawful manufacture, sale, or keeping, the building or ground in which it happens is a nuisance, and the user is fined not over \$1,000 ; any citizen of the county may maintain an action to abate and perpetually enjoin the same, and any person violating such injunction shall be fined \$500 to \$1,000, or imprisoned not more than six months, or both ; after conviction of keeping a nuisance any person engaging in such unlawful business shall be imprisoned three months to one year ; keeping a United States revenue permit posted in any place of business is evidence that the person owning it is engaged in unlawful selling ; transporting liquor without a certificate from the auditor designating for whom it is intended, and that the party is duly authorized to sell for legitimate purposes, fined \$100 ; keeping a club or place where liquors are distributed, fined \$100 to \$500 and imprisonment 30 days to six months ; persons making false statements to procure liquor of those authorized to sell, first offence \$10 fine, second offence \$20 fine and imprisonment 10 to 30 days.

North Dakota.—The Constitution, adopted in 1890, provides : "No person, association or corporation shall within this State

manufacture for sale or for gift any intoxicating liquor, and no person, association or corporation shall import any of the same for sale or gift, or keep or sell, or offer the same for sale or gift, barter or trade, as a beverage. The Legislative Assembly shall by law prescribe regulations for the enforcement of the provisions of this article, and shall thereby provide suitable penalties for the violations thereof." Any contravention of this constitutional prohibition is punished for the first offence by a fine of \$200 to \$1,000 and imprisonment 90 days to one year; subsequent offences, imprisonment one to two years; county judges issue to registered pharmacists permits to sell intoxicating liquor for medicinal, mechanical and scientific purposes, and wine for sacramental purposes; a physician may prescribe liquor for a patient in absolute need of it, otherwise prescribing it is fined \$500 to \$800 with imprisonment 30 days to six months; sales by permit-holders are made upon printed affidavits minutely specifying intended use, and a false affidavit is punishable as perjury, by six months to two years' imprisonment; re-selling liquor obtained under such affidavit, \$100 to \$500 fine with imprisonment 30 to 90 days; druggists failing to record sales for inspection, or selling illegally, \$200 to \$1,000 fine, 90 days to one year imprisonment, and disqualified to have permit again for five years; State attorneys failing to prosecute violations of the law, \$100 to \$500 fine and 30 to 90 days' imprisonment and forfeiture of office; places where liquors are sold or kept in violation of law are nuisances, and upon establishment of the fact shall be abated, injunctions being granted at the beginning of action, violation of injunction punished as illegal selling; clubs punished same as illegal sellers; giving away liquor or evasions of the law, deemed unlawful selling; treating or giving liquor to a minor, punished as illegal selling; carriers of liquors to be sold contrary to law, \$100 to \$500 fine and 30 to 60 days' imprisonment.

South Dakota.—The Constitution, adopted in 1890, provides: "No person shall manufacture or aid in the manufacture for sale, any intoxicating liquor; no person shall sell or keep for sale, as a beverage, any intoxicating liquor. The legislature shall by law prescribe regulations for the enforcement of the provisions of this section, and provide suitable and adequate penalties for the violation thereof." The statutes provide that a violation of the foregoing shall be punished by a fine of \$100 to \$500 and imprisonment 60 days to six months; county judges may issue permits to registered pharmacists to sell for medicinal, mechanical, scientific and sacramental purposes; any person signing a druggist's petition for a permit, knowing him to be in the habit of becoming intoxicated, or not in good faith in the pharmacy business, is fined \$50 to \$100, and a county judge granting a permit to such an applicant is fined \$500 to \$1,000; any officer wilfully failing to perform duties imposed by this law, is fined \$100 to \$500, imprisoned 60 days to six months, and forfeits his office. Injunction provisions are same as in North Dakota.

EXTENT OF TERRITORY COVERED BY PROHIBITION.

The states included in the foregoing summary have an aggregate area of 339,460 square miles, and an aggregate population of 5,220,477 people. This does not include Alaska, with its 577,390 square miles of territory and 31,795 inhabitants, nor Indian territory, with its 31,400 square miles of territory and 74,997 inhabitants. Adding those to the states named the total territory covered by prohibitory laws is 948,250 square miles, or 26 per cent. of the entire domain in the United States. The population is 5,327,269, or about 9 per cent. of the total population. This does not take into account the territory under local prohibition laws which is considerable—probably as much more, with a population fully as great. It is not possible, however, to make an accurate estimate from data at hand.

PRESENT LICENSE LAWS OF DIFFERENT STATES.

The main features of the liquor laws in force in the several states, amount of license fees and of bonds, the local option provisions, and the principal prohibitions under each law, have been summarized in the following table, which is explained by the key at the bottom :

- ALABAMA.—R 125 to 300 ; *a, c, d, w, n.*
 ALASKA.—Prohibition by an executive order issued May 4, 1887, by President Cleveland through Secretary of the Treasury Fairchild.
 ARIZONA.—R 40 to 200 ; *a, d, e, i.*
 ARKANSAS.—R 800 ; L O c ; *a, e, f, v, t.*
 CALIFORNIA.—R 60 to 480 ; L O c or m ; *q, v, a, t, o, x, d, i.*
 COLORADO.—R 600 min. in cities, 500 min. in towns, 300 min. in counties ; B 2,000 ; *n, e, d, f, v, i, tt, z, y, x.*
 CONNECTICUT.—R 100 to 500 in cities, 100 in towns ; L O m ; *p, d, q, y, z, u, i, j, w.*
 DELAWARE.—R 100, 300 ; houses licensed, not persons ; *y, x, a, c, d, j.*
 DISTRICT OF COLUMBIA.—R 100 ; *a, f, d, y, z, t.*
 FLORIDA.—R 500 ; L O c & m ; *a, d, d*, x, vt.*
 GEORGIA.—R 50 min. ; B 500 ; L O c ; *a, d, x, y, r, s.*
 IDAHO.—R 100 to 200 . *e, d, d*, g, y, i, x.*
 ILLINOIS.—R 500 min. ; B 3,000 ; L O m ; *i, a, b, c, d, d*, g, y.*
 INDIANA.—R 350 max. in cities, 150 max. in towns ; B 2,000 ; *a, d, d*, g, x, y, z, u, v.*
 INDIAN TERRITORY.—Prohibition by acts of Congress relating to the different tribes.
 IOWA.—Prohibition, see page 106
 KANSAS.—Prohibition, see page 105.
 KENTUCKY.—R 150 ; L O c & m ; *a, n, y, v, r, i, d.*
 LOUISIANA.—R 50 to 750 ; L O c ; *a, x, d.*
 MAINE.—Prohibition, see page 104.
 MARYLAND.—R 200 ; *a, a*, h*.*
 MASSACHUSETTS.—R 1,000 min. ; licenses limited to 1 in 1,000 population (1 in 500 in Boston) ; L O m ; *a, a*, d, y, z, s, t*.*
 MICHIGAN.—R 500 ; B 1,000 to 6,000 ; L O c ; *a, e, d, i, q, y, z, x.*
 MINNESOTA.—R 1,000 in cities ; 500 in towns ; B 2,000 ; *a, d, d*, n, i, x, u, z*
 MISSISSIPPI.—R 200 to 1,000 ; B 2,000 ; L O c or m ; *a, g, i, k*, n, r, t, x, y.*
 MISSOURI.—R 50 to 400 State, 500 to 800 co., no limit m. ; B 2,000 ; L O c & m ; *a, d, i*, m, n, x, y.*
 MONTANA.—R 100 to 500 ; L O c ; *a, a*, c, d, i, f, g, t*, x.*
 NEBRASKA.—R 500 min. ; 1,000 min. in cities ; L O m ; *a, b, c, d, e, x, y, i, j, v.*

- NEVADA.—R 120; *a, c, e, i, k, t, x, z.*
 NEW HAMPSHIRE.—Prohibition of sale (not manufacture), see page 105
 NEW JERSEY.—R 100 to 250; L O m; *a, d.*
 NEW MEXICO.—R 100 to 400; L O m; *a, d, e*, g, i, n, x.*
 NEW YORK.—R 30 to 150 in towns, 30 to 250 in cities; B 250; L O m (at the discretion of the excise commissioners); *a, d, e, i, p, x, y, æ.*
 NORTH CAROLINA.—R 100; L O c & m; *a, g, t, r, y, v, v*.*
 NORTH DAKOTA.—Prohibition, see page 106.
 OHIO.—R 250; L O m; *a, a*, g, ht, q*, t, u, v, x, y*, æ*.*
 OKLAHOMA.—R 250 to 750; *a, c, d, v, x, y.*
 OREGON.—R 400; B 1,000; L O m; *a, a*, d, d*, s, u, y.*
 PENNSYLVANIA.—R. 75 to 500 (in cities 1st and 2nd class 1,000); B 2,000; *u, d, d*, x, y.*
 RHODE ISLAND.—R 200 to 400; B 2,000; L O m; *a, d, h, y.*
 SOUTH DAKOTA.—Prohibition. see page 107.
 TENNESSEE.—R 150 to 200; *a, b, d*, i, q, r, s, t, u, y.*
 TEXAS.—R 600; B 5,000; L O c & m; *a, d, e, j, m, q, x, y.*
 UTAH.—R 600 to 1,000; B 100 to 1,000; *a, b, c, e, j, m, q, v, x, y.*
 VERMONT.—Prohibition, see page 42.
 VIRGINIA.—R 75 to 125; L O m; *a, v, x, y.*
 WASHINGTON.—R 300 to 1,000; L O m; *a.*
 WEST VIRGINIA.—R 350 State (cities and towns may increase *ad lib*) ; *a, c, d, v, x, y.*
 WISCONSIN.—R 100 to 200; B 500; L O on increasing fee; *a, d, e, i, g, t, v, x, y.*
 WYOMING.—R 150 to 300; *d, g, x, y.*

R. Retail liquor licence or tax yearly (min., minimum; max., maximum).

B. Bond required to be given by licensees.

L. O. Local Option (c., by counties; m., by municipalities).

a. Prohibition of sales to minors; *a**, sales by minors; *at*, minors prohibited from buying. *b.* Prohibition of sales to apprentices; *b**, to students. *c.* Prohibition of sales to persons of unsound mind. *d.* Prohibition of sales to drunkards; *d**, intoxicated persons. *e.* Prohibition of sales to Indians; *e**, except Pueblos. *f.* Prohibition of sales to United States soldiers. *g.* Prohibition of sales to prisoners. *h.* Prohibition of sales to women, *h**, of sales by women; *ht*, of sales to women in order to induce illicit intercourse. *i.* Prohibition of adulteration of liquors, *i**, of beer. *j.* Prohibition of screens; *j*, during illegal hours. *k.* Prohibition of treating; *k**, by candidates. *l.* Prohibition of tables and chairs in saloons; *l** of selling at tables. *m.* Prohibition of music. *n.* Prohibition of certain specified games. *o.* Prohibition of selling in State Capitol. *p.* Prohibition of selling in any public buildings. *q.* Prohibition of selling at concerts, theatres, etc.; *q**, of selling in brothels. *r.* Prohibition of selling within a specified distance of a church. *s.* Prohibition of selling within specified distance of a school or institution of learning. *t.* Prohibition within specified distances of certain public institutions; *t**, of a railway in process of construction; *tt*, of a laborers' camp. *u.* Prohibition of selling within certain distances from a fair; *u**, except in cities of 500,000 population. *v.* Prohibition of sales within a specified distance of a camp meeting; *v**, of a political meeting; *vt*, prohibition of all selling in case of a riot. *w.* Prohibition of selling in a dwelling-house. *x.* Prohibition of selling on election day. *y.* Prohibition of selling on Sunday; *y**, unless city councils suspend it. *z.* Prohibition of selling within certain hours of the night. *æ.* Common carriers prohibited from employing persons addicted to intoxicants; *æ**, as engineers.

STATE MONOPOLY IN SOUTH CAROLINA.

At the time of the Commission's inquiry the State of South Carolina was making an experiment in state control of the liquor traffic. The measure under which this was done was popularly called the Dispensary Law. It was

entitled "An Act to Prohibit the Manufacture and Sale of Intoxicating Liquors as a Beverage in this State Except as Herein Permitted." Under it a State Commissioner was appointed to superintend the traffic. Pure liquor was to be purchased by him for the state from manufacturers and sold to county dispensers. The latter were to be appointed, one for each county, except in the county of Charlestown, including the city of Charlestown, in which there might be ten, and in the county of Richland, including the city of Columbia, in which there might be three. These county dispensers were to be permitted to sell liquor only in unbroken packages, at a fixed profit, each dispenser to apply for the quantity wanted in writing and all applications to be filed. The profits of sales by the state commissioner were to go to the state, the profits of sales by county dispensers, after paying expenses, were to be equally divided between the county and the municipality. Except as thus provided no sale was to be permitted, and manufacturers were not permitted to sell except to the state commissioner or for export.

The constitutionality of this law was in question and its enforcement was therefore difficult. No information was obtained as to its success or otherwise.

Previous to the enactment of the dispensary law, South Carolina had local option for cities, towns and villages having charters. Outside such places the state was under prohibitory law.

CHAPTER VI.

LIQUOR LAWS OF OTHER COUNTRIES.

The personal investigations of the Royal Commission were confined to Canada and the United States. The reports however deal to some extent with the liquor laws of other countries, which in most cases differ from those already set out only in unimportant details.

BRITISH LEGISLATION.

There is very little information given regarding Great Britain. A summary of the License Act of 1872 contains a reference to the salient features of that measure. There is also mention made of the Sunday closing and other amending Acts. Tables are submitted showing the ratio of licenses to the population in different localities, the range being from about two to about twelve per thousand. A synopsis is also made of the Local Control Bill and the Sale by Authorized Companies Bill, which were introduced into Parliament in 1893, but did not become law. The report is strikingly barren of information regarding the working of different liquor laws, and the lessons to be learned from the operation of any changes in them, either in the direction of restriction or relaxation. It is needless to spend any time over this part of the report.

There are in Great Britain a number of small localities in which prohibition is in force through the determination of large land proprietors to allow no sale of liquor on their estates. Some reference to the results of this kind of prohibition is to be found in the minority report.

Reference is made to the liquor laws of the British possessions in different parts of the world. They present no peculiar features. In most colonies the liquor laws rigorously prohibit sale to aborigines. Some of these laws contain important local option features. There is however no information of any special value as to the extent to which this power is exercised, or as to the results of the prohibition thus secured, or the results of the license law restrictions.

PITCAIRN ISLAND.

There was submitted to the Commission an interesting paper by F. R. Lees, Ph. D., F. S. A. E., setting out the peculiar system of government in force in Pitcairn Island, which legislation provided for the total prohibition of the manufacture, importation and sale of intoxicating liquors. Pitcairn Island had a peculiar history. It is comparatively small, but the prohibition there was complete and the results remarkably beneficial. The report contains some information about Pitcairn not relating to the question under discussion, and publishes none of the valuable information supplied by Dr. Lee's article.

FRANCE AND GERMANY.

The extent of the liquor traffic in France, and the legislation relating to it, were discussed to some extent in a summary made by Mr. Gigault, one of the commissioners, of certain reports of commissions of investigation appointed in France to enquire into the liquor traffic. The most important information to be gathered from these documents is the fact that the consumption of alcohol has been rapidly increasing and that it is attended with frightful mortality and other alarming results. Under the heading of liquor selling places (debits) the report under consideration, says :

If the *bouilleurs de cru* (persons selling liquor made from fruits which are their own produce) are the scourge of the rural districts, the dealers in liquors are undeniable the plague of the cities; at the present time they burst forth in the smallest villages. Their increasing numbers become a universal ground of anxiety and are one of the recognized causes of drunkenness. We know how readily, even when his inclination does not point

in that direction, the workingman who is addicted to drink suffers himself to be drawn into the saloon.

In 1885 there was, at a medium, 94 inhabitants for every saloon (débit). The French Temperance Society has asked that there should be not more than one débit for each two hundred inhabitants.

The French commissioners, while refraining from recommending monopoly, believed that the best results would be attained by a monopoly of the traffic in spirits by the state, accompanied with legislation freeing from taxation such liquors as wines, beers and ciders. They recommend that license fees should be increased fourfold.

An appendix to the report contains an epitome of the German legislation relating to the manufacture and sale of intoxicating liquors. It is not accompanied by any information as to its working or results and has therefore little importance.

SWITZERLAND, MONOPOLY.

Mr. Gigault's report deals to some extent with the question of government monopoly of the liquor traffic. In Switzerland this plan has been tried. The report says :

The federal government receives the whole revenue from the wholesale taxes, and customs, and the net income is divided among the cantons in proportion to the population. The latter are required to devote ten per cent. of the funds to combatting drunkenness and its effects.

Three objects were sought by the introduction of the monopoly :—(1) to restrain consumption ; (2) to furnish pure spirits ; and (3) to obtain a larger income for the cantons.

From the information at hand, it does not appear that the first object has been largely realized, nor could this in any reason be expected as long as the monopoly has no power to restrict or even supervise the actual consumption of spirits. Only one canton, that of the town of Bâle, has given its government the monopoly of the retail trade in spirits ; but it is not clear that the effect has been to diminish the number of public houses nor the consumption of intoxicating liquors in this canton more than any other part of Switzerland. The root of the evil is left to flourish.

As a financial scheme, the monopoly has been a great success. The revenue derived from the traffic is not, as already remarked, at the disposal of the federal government, but must be divided among the several cantons. In other words, the federal government has all the care and trouble of the monopoly, while the local governments spend the surplus, which they have not even been obliged to collect. The only provision relating to the

manner in which the money shall be spent is that every canton must devote one-tenth of its share to combating the evils of alcohol. The cantons allow themselves great liberty in interpreting the phrase "evils of alcohol."

NORWAY AND SWEDEN.

There only remains to be considered the system in force in Scandinavia, to which the Commission has paid a great deal of attention. It is sometimes spoken of as the Gothenburg System. The term most correctly describing it is probably the "Company System." It prevails throughout Norway and Sweden.

The history of the liquor traffic in these countries is instructive. The most commonly used intoxicant is "brandevin" a term commonly translated "brandy" and applied to a liquor made from corn and potatoes, containing from 44 to 50 per cent. of alcohol. The distillers for the manufacture of this brandy were at one time very numerous. As late as 1883, there were in Sweden 9,576 stills in the country districts, and 151 in the cities. The present system may be briefly described as follows :—

In Sweden sale for consumption goes on under what are called bar licenses. In large towns the magistracy and municipal council, and in less populous places the magistracy and general assembly of the people, at an open meeting decide as to the number of licenses to be issued. These licenses are offered at auction upon a given day, one at a time, and awarded to the persons offering to pay the largest tax on the probable consumption. The municipality may, instead of selling by auction, create a monopoly of retail and bar liquor, selling by turning all the licenses to be issued, over, under certain conditions to a company for a fixed period, usually three years. Licenses, however, may be revoked at any time for cause. The proceeds of the licenses are divided between the town government and the local municipality.

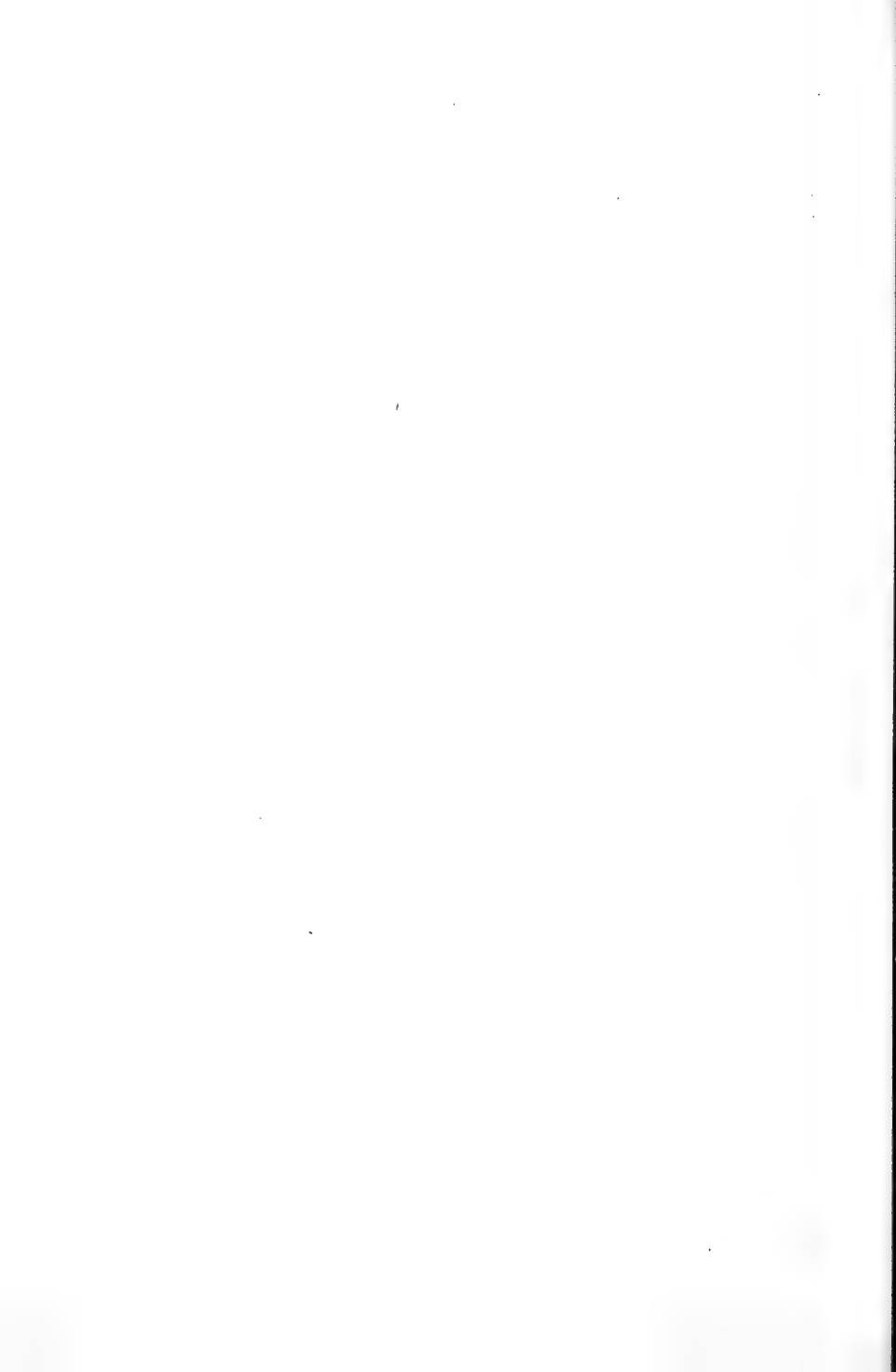
In Norway, in country districts bar licenses are issued only to inns necessary for travellers, and liquor must not be sold under them to any person living or staying nearer than three and one-half English miles from the licensed premises. One, or several, or all of the licenses issued in any place may be granted to a company that will bind itself to devote the possible surplus of the license to objects of public utility and according to by-laws duly approved by the authorities.

Under both these systems, companies are formed which bid for, and purchase all the licenses in a given district.

These companies carry on the traffic under regulations which require them to take from the business only a small proportion of profit. The by-laws of these companies must be approved by municipal councils and sanctioned by the king. They provide that the surplus of profits shall be applied for useful public and charitable purposes. The distribution is generally made among the national, county and municipal governments, agricultural societies, and charitable and philanthropic organizations.

This system applies only to spirituous liquors. The sale of fermented liquors may still be licensed. Both Norway and Sweden have local option laws under which prohibition largely prevails in rural localities.

In subsequent chapters of this work, dealing with the effects of the different systems of liquor legislation, it will sometimes be necessary to refer to further details of the different laws that have just been summarized. The object of the present part is simply to give a brief outline of the different systems in operation, and to indicate the places in which they have been tried.



PART III.

The Result of the Measures which have been adopted to Lessen, Regulate or Prohibit the Traffic.

CHAPTER I.

LEGISLATIVE METHODS IN GENERAL.

The connection between the liquor traffic and the evil of intemperance is clear. (See Chapter 8 of Part I.) The main object of the Commission's inquiry was the extent to which laws have lessened intemperance by curtailing the traffic. The majority report affirms that license laws are most effective in this direction. The minority finds that prohibitory laws have produced the best results.

With the exception of the system in operation in Pitcairn, no example of absolute prohibition was found, all other prohibitory laws permitting sale, under some circumstances, for specified purposes. Every license law examined had certain prohibitory features which were admittedly the beneficial parts of these laws. There is, however, the broad general distinction that prohibitory laws aim to prevent the sale of liquor for beverage purposes, while license laws provide facilities for such sale. High license is a modification with special financial features supposed to further limit the traffic. The state monopoly and company systems embody the same general principles as do license laws. Another modification of this restrictive permissive system

is the plan of prohibiting the sale of ardent spirits, or promoting or encouraging the traffic in beer, wine, cider and such beverages, on the ground that these milder liquors are less dangerous than the others.

These different forms of restriction, and the most important experiments in prohibition, will be treated in separate chapters. An important matter that affects nearly all these systems, may however be here considered. It is an unfortunate tendency that finds fullest scope under license and is discussed as follows in the minority report :—

LAWLESSNESS OF THE TRAFFIC.

It is shown that licensees, except in very rare instances, persistently disregard the restrictive features of license laws, and the illicit sales by both licensed and unlicensed vendors are general, and do not cause surprise. The evidence in all Canadian license cities visited is strong on these points. Montreal, Canada's largest city, may be quoted in illustration of the general and systematic defiance of the liquor law, both by licensed and unlicensed vendors.

Major E. L. Bond, president of the Citizens' Law and Order League, which was organized in 1888 for the purpose of assisting in the better "enforcement of the law prohibiting the sale of liquor to minors, enforcing the observance of the law regulating the liquor traffic and public morals, and to do that work in concert with the Society for the Prevention of Cruelty to Women and Children and Animals, so far as that cruelty arises out of the liquor traffic," said: "In all these years they had found the liquor traffic most difficult and lawless. There is only one other evil so lawless and that is the social evil, which is so closely bound up with the liquor traffic that it is almost impossible to separate them."

Mr. W. B. Lambe, Collector of Provincial Revenue for the district of Montreal, said: "As far as I can judge, there are probably two thousand shebeens, and there may be four thousand altogether, where they sell liquor without license. . . . They are called candy shops and fruit shops, while they are really decoy shops for assignation, purposes of prostitution and illegal selling."

Chief Detective Cullen, Montreal, said there is much slackness in the enforcement of the license law. Notwithstanding frequent representations showing the unworthy character of certain licensees, and violations of the law, the authorities contrive to grant licenses to them. In one case over forty complaints against the place and the licensee have been made, and yet the license continues.

Hon. B. A. De Montigny, Recorder of Montreal, said: "The license law and regulations in regard to the liquor traffic are not well observed. High license has been tried. The fee was increased last year, but I do not think that drunkenness has decreased at all. We have been decreasing their number (the licensed places) for the last couple of years. I was of opinion that the smallest number we could have the better, but now I really do not know."

In Halifax a similar condition of things was found. Mr. John A. Mackasey, license inspector for that city, said: "They (the licensees) are all law-breakers." And they do not assist in preventing sale in unlicensed places, because as he said, "they are in nearly the same position as the illicit sellers. They can hardly turn around and accuse them of breaking the law. . . . They terrorize the liquor dealers, who do not care to come to court, because they feel they are in the power of these men."

The records of St. John, Quebec, Hamilton, Winnipeg, Victoria and, generally, of the Canadian license cities and towns visited by the Commission, are substantially the same. Examination of the evidence will discover that in them all is much known illicit sale, and that many, if not all, of the licensees disregard the prohibitions of the license laws.

CHAPTER II.

THE COMPANY SYSTEM.

The Company plan of dealing with the liquor traffic, generally spoken of as the Gothenburg System, receives a great deal of attention in both majority and minority reports. The latter mentions the following as the sources of information drawn upon :

“ The Gothenburg system of the liquor traffic, 1893, prepared by Dr. E. R. L. Gould, under the direction of Hon. Carroll D. Wright, Commissioner of Labor in the United States ; the report of a Commission appointed by the Governor of Massachusetts in 1893 : “ Local Option in Norway, with an account of the establishment and working of the society for retailing ardent spirits in Bergen,” 1891, by Thomas M. Wilson, C.E. ; “ The Gothenburg and Bergen Public House system,” 1893, by James White, Secretary of the United Kingdom Alliance ; and “ Report on the Gothenburg system regulating the sale of liquors in Norway,” 1893, by Consul General Michell, to the Earl of Rosebery, and presented to both Houses of Parliament by command of Her Majesty. These reports contain much valuable information : and in what follows they are freely quoted.

The fundamental idea in the organization of these companies was the limitation of the liquor traffic, by placing it in the hands of persons who had no special financial interest in extending their business. The Prime Minister of Sweden in speaking of the subject said :

I am convinced that those companies, if properly administered, will prove the most effective means of promoting order in the brandy traffic, and it is only by their means that the said trade can be carried on in such a manner as not to encourage an increased consumption of spirits. It stands to reason that when

a private individual is engaged in the brandy trade, as in any other, his interests will induce him to sell as much as he can; whereas the companies, if they properly fulfil their mission—and happily our country can boast of many such—need never be influenced by selfish motives.

In Norway and Sweden early in the present century intemperance prevailed to a fearful extent. Mr. White speaks thus of the condition of affairs :

Sweden and Norway were blighted and cursed by drunkenness to an extent probably unparalleled in the experience of other civilized nations. This was the result of free trade in intoxicants. The manufacture and sale of both distilled and fermented liquors were practically free.

In Sweden in 1829, the number of stills paying a (merely nominal) license fee was 173,124. Through economic causes the number was reduced, by the year 1850, to 43,947, yet no diminution in the production of spirits took place. The population was about 3,500,000.

The consequences of such drinking was frightful. Drunkenness, crime, pauperism, every species of misery, every form of degradation and demoralization abounded. Dr. Wieselgren says : "The very marrow of the nation was sapped. Moral and physical degradation, insanity, poverty and crime, family ties broken up, brutal habits, all those grim legions that ever range themselves under the banner of intemperance, took possession of the land. It was bleeding at every pore, yet seemed unwilling to be healed." The condition of Norway was not any better.

SWEDEN.

As the result of earnest appeals from friends of morality and temperance, the Diet passed certain laws which received the Royal sanction in January, 1855. One of these referred to the manufacture of brandy, on which rigid restrictions were imposed. Another of still more importance related to retail sale, providing that the number of licenses to be issued should be fixed by local authorities and sold by auction. It also contained a clause to the effect that where a company was formed for assuming the whole of the retail trade in towns, the town authorities should be empowered to confer all the licenses to be issued upon such company.

The restrictions upon the manufacture did good. The number of distilleries for the year 1855 dropped to 3,481, and the production of brandy to 6,519,191 gallons, though

the prohibition against small stills was not fully carried out until later. It does not seem, however, that the company legislation was taken advantage of for some time. In 1864 a committee of the Gothenburg Council recommended the adoption of the company system in the public interest, and organized a company with the object of carrying out their suggestions. About twenty highly respectable firms and individuals agreed to take stock in the company. The proposition was approved, and the company began its operations on October 1st, 1865. The majority report summarizes the changes thus brought about in the following paragraphs :

The magistrates are said to have annually placed 61 licenses at the disposal of the company, but before it had been established 72 such licenses existed in the town, and although the population had been steadily increasing, the company has never made use of the whole of its licenses, and that in 1885, when the population was 83,000, the number of the company's licenses was only 19. It had established four eating-houses where no spirituous liquors were served, except the usual dram at meal times, the object being to supply workingmen, who did not wish to frequent the public houses, with food. The company had also fitted up several reading rooms, where no spirituous liquors, only coffee, tea, chocolate, milk and small beer were served, besides light food, at a low price fixed by tariff. In these, books, newspapers and periodicals are provided for the use of visitors. On the wall of every one of the company's public houses is posted a printed card showing how much money can be saved every day, week, month and year, by abstaining from the taking of so many drams, and what sums may, by this means, be laid aside for the future. The company, it is said, has also curtailed the time of selling, nothing being sold on Sundays or public holidays, or from 6 p. m. on the day preceding such days, except the small dram served at meals. They have also curtailed the time of selling over the bars on ordinary week days, closing, instead of at 10, as the law would permit, at 7 in autumn and winter, and 8 p.m. during the rest of the year.

The rules under which the Company's officials acted were very rigid. Accounts were to be carefully kept. Shareholders were to receive six per cent. of the profits of the business, the remainder being paid over to the city, county and national officials for public uses.

The Company System was introduced into Stockholm in 1877. Later on the right to adopt the Company System

was given to rural places. Local option was also granted in reference to the sale of all intoxicants.

Through the operation of both these measures the liquor traffic has been very much restricted, so that the number of licenses now in operation is comparatively small.

A difficulty in the way of working the Company System was the fact that, besides the licenses controlled by the authorities, there was also a number of licenses held by persons who had in them a vested interest, so that other selling went on by these parties in places where the company controlled all the licenses which they could secure. Partly through the death of the holders of these licenses, and partly through the purchase of their rights, the number of such places has been gradually diminished, and it is predicted by Dr. Gould that companies will soon control the entire remaining retail liquor traffic in both Norway and Sweden. Another matter to be considered is the custom which the companies have of selling to local wine merchants, the privilege to retail liquors in bulk, the companies carrying on the business of sale to be consumed on the premises. It must also be borne in mind that the companies do not control the sale of malt liquor and wine.

RESULTS.

To set out the exact results of the Gothenburg System is not easy. Its first operation reducing very much the number of spirit licenses must have materially affected the liquor traffic. This is strikingly shown in a table setting out the cases of drunkenness and delirium tremens in Gothenburg from 1855 to 1891, part of which is given below. It will be readily seen that on the enactment of the present law in 1855 there was an immediate, remarkable improvement, and that another great change took place when the company system was inaugurated in 1865.

**CASES OF DRUNKENNESS AND DELIRIUM TREMENS IN
GOTHENBURG FROM 1855 TO 1891.**

YEAR.	Population	Persons fined for drunk'ness	No. per 1,000 inhabit'nts	Cases of delirium tremens.
1855.....	24,804	3,431	138	
1856.....	33,424	2,658	80	
1864.....	42,433	2,161	51	
1865.....	45,750	2,070	45	118
1866.....	47,332	1,424	30	107
1870.....	53,822	1,416	26	90
1875.....	59,986	2,490	42	80
1880.....	68,477	2,101	31	44
1885.....	84,450	2,475	29	84
1890.....	101,502	4,010	40	44
1891.....	104,215	4,624	44	31

The following statement gives the average annual consumption of spirituous liquors in Sweden from 1856 to 1890, by five years periods (page 200, U. S. Report):

Periods.	Quarts per inhabitant.
1856-1860	10'03
1861-1865	11'31
1866-1870	9'40
1871-1875	12'47
1876-1880	10'67
1881-1885	8'66
1886-1890	7'42

This is of liquor said to contain 50 per cent. of alcohol.

The development of the beer business during the period above referred to is shown in the following table prepared under the auspices of the Swedish Brewer's Association and published in the Massachusetts report which gives the consumption of malt liquors in Sweden :

In	Quarts per inhabitant.
1861	7'4
1871	12'8
1881	19'4
1890	28'2

The convictions for drunkenness in Sweden were (p. 82, Mass. H. D., 192) :—

	Population.	Number of convictions.	Per 1,000 of population.
1874	4,341,559	16,422	3·7
1884	4,644,448	19,913	4·2
1891	4,802,751	25,548	5·3

The reports estimate the consumption of spirits in Gothenburg as being :

In 1876,—34·9 quarts per capita of the population.

1885,—19·6 do do

1892,—14·2 do do

This of course does not include the beer consumed, and it is not clear whether or not it includes the amount sold by retail, that is, not sold by the company but sold in quantities not to be consumed on the premises.

The ratio of persons fined for drunkenness in the city of Gothenburg was :

In 1855—138 per 1,000 inhabitants.

1865— 45 “ “

1875— 42 “ “

1885— 29 “ “

1892— 42 “ “

Mr. Whyte records an interview with the chief of police of Gothenburg, in which he got the chief's explanation of the increased drunkenness.

He (the chief of police) did not hesitate one moment, but at once said: Oh, it's the beer. It's the malt liquor. For more beer is now being used, and much stronger than was the case formerly. The people drink spirits, and then drink beer and stout, and become drunk. He further stated that the “off” beer shops—and every shop keeper can sell beer for consumption off the premises—were doing a vast amount of harm, more particularly amongst women and boys—and that drunkenness, all of it from beer, was now showing itself amongst women. It had not gone so far, he added, as to bring any considerable number of women into the hands of the police; indeed, out of the total number of convictions for drunkenness, of 4,624 for 1892, only about 100 were convictions of women. But he expressed a fear

that there was a good deal of sotting among women at their homes—not much when compared with the intemperance among men—but a good deal more than there used to be; and he felt that the most painful thing about it was that it was fast getting worse. He added that the beer shops which did the most mischief amongst women and boys were the small provision shops where beer was sold. Another cause of the recent marked increase of drunkenness on which he laid a great deal of stress—and this has a very direct bearing on the question of the use of the bolag's figures in the foreign office report—was the great extension of the trade of wine and spirit merchants in cheap foreign spirits which he said were now being used more than formerly by the working classes and were causing much drunkenness.

Comparisons—Mr. Whyte compares Gothenburg and Cardiff, England, as to the arrests for drunkenness. They are both seaports. Cardiff, in 1890, had a population of 128,000, and 620 convictions for drunkenness; Gothenburg had a population of 104,000, and 4,010 convictions.

Comparison might be made with almost any Canadian city. St. John, N.B., has a population of 40,385, and in 1891 its arrests for drunkenness were 1,030; in the same year Gothenburg with 104,000 population has 4,524 arrests.

Sweden, as a whole, has 5·3 arrests for drunkenness per thousand of the population; Canada has 2·6 per thousand.

Dr. Gould presents a table showing an increase of pauperism in Sweden from 3·93 of the population in 1855 to 5·04 of the population in 1890.

In the city of Stockholm (population in 1892, 256,608) the total number of licenses, bar trade and retail, were:—

	Number of licenses.	Inhabitants to each license.
1877	253	655
1887	231	987
1892	223	1,151

Of the 223 licenses existing in 1892, 143 were bar-trade licenses used by the company, and 80 retail licenses.

The convictions for drunkenness and the cases of delirium tremens in Stockholm are stated to have been :—

	RATIO PER 1,000 OF POPULATION.	
	Convictions for drunkenness	Cases of delirium tremens.
1876	46·0	4·3
1886	31·0	2·2
1891	32·3	1·8

In the Massachusetts House Document it is remarked, in regard to the foregoing statistics, that a necessary consequence of the spread of the company system was a better policing, notably of the towns, which resulted in a greater number of arrests for drunkenness, and that it is no cause for surprise to find that the number of arrests per thousand inhabitants has increased somewhat from 1874 to 1891. It is observed: "It may fairly be doubted if the figures would indicate a perceptible change but for the unrestricted and, to a considerable extent, illegal traffic in beer."

NORWAY.

The Norwegian system differs from the Swedish in two particulars. In Sweden the companies make a specialty of furnishing refreshments and recreation. In Norway the tendency is to the isolation of the sale of the liquor and its dis-sociation from all other business. In Sweden the surplus profits of the companies go into public funds, and thereby constitute general revenue. In Norway the surplus is expended in the form of subsidies to objects of public utility, for the support of which municipalities are not bound by law to provide. Mr. Wilson says:

Any charity or institute, etc., which derives aid however small, from the local treasury or rates, is disqualified from participation in the grants of societies (companies) established under the Norwegian system.

In other respects there is much similarity in the methods of operating the company system, and in the history of that system in both countries.

RESULTS.

The results of the Norwegian system seems to have been very much like those obtained in Sweden. The following table gives some information on this line.

CONSUMPTION OF BRANDY IN NORWAY FOR DIFFERENT YEARS.

YEAR.	Estimated population.	Total consumption Quarts.	Per capita. Quarts.
1876	1,840,000	12,963,595·6	7·0
1877	1,865,000	11,694,498·9	6·3
1878	1,890,000	8,952,362·4	4·7
1879	1,916,000	6,543,086·4	3·4
1881	1,921,000	6,132,030·1	3·2
1885	1,959,000	7,227,828·0	3·7
1890	2,000,000	6,557,880·2	3·3

The following figures relate to the city of Christiana (population in 1892, 165,500).

YEAR.	Number of licenses.	Inhabitants to each license.	Quarts spirits consumed per inhabitant.
1885	116	1,127	2·22
1891	68	2,336	2·63
1892	65	2,546	2·69

The Company system was introduced in this city in 1885. The record for drunkenness since that time is as follows :—

Year.	Drunkenness per thousand population.
1885	37·7
1886	25·6
1887	28·3
1888	40·6
1889	41·2
1890	51·9
1891	72·5
1892	72·0

The following figures regarding the consumption of beer in Norway are instructive.

1870-71	16·9 quarts per inhabitant.
1880-81	22·7 " "
1890-91	31·2 " "

The report states that the statistics for 1892 were not available, but they would most likely show a continued increase.

The statistics of Norway's pauperism, Dr. Gould says, do not give a satisfactory basis of judgment. But so far as they are available, they show an increase, ranging from 67 per thousand of the population in 1877, to 86 per thousand in 1886.

PROFITS.

From the standpoint of money making, the Company system seems to have been very successful. The report furnishes tables showing the profits distributed between the municipalities and other governing bodies in Sweden to have been as follows:—

Years.	Total.	
	\$	cts.
1882	1,530,676	02
1884	1,395,531	88
1886	1,547,956	17
1888	1,717,255	18
1890	1,870,220	16
1892	1,860,476	79

For Norway the following table is available:—

Statement showing sales, and surplus profits of the Norway Brandy Companies from 1881 to 1890 (inclusive).

YEAR.	Number of Companies.	Sales of brandy. (Quarts).	Net surplus of Profits.
1882	41	1,937,699·3	\$166,524 48
1884	45	2,417,597·5	205,412 08
1886	49	2,579,572·7	234,247 01
1888	50	2,551,993·9	260,132 05
1890	50	3,218,187·0	371,084 01

The tables give figures for every year, but only those for alternate years are quoted above.

The reports show the distribution of profits by the Norwegian liquor companies, Among the assisted undertakings being Treeplanting, Museums, Libraries, Sunday Schools, Orphans' Homes, Young Men's Christian Associations, Gun Clubs, Public Baths, Drawing Schools, Temperance and Total Abstinence Societies, and many similar philanthropic enterprises.

OPINIONS.

A couple of opinions directly obtained in the examination of witnesses may be summarized as follows :

Captain Frederick Waldemar Hooslep is a Norwegian. He said the Samlag (the name by which the liquor-selling company is known in Norway) has been a great benefit to his country. There has, he said, been a great improvement in the drinking habits of the people since he was a boy, and this he attributed in a great measure to the company system. He said : " If you ever should go to Norway and see what the surplus has done to the benefit of the towns, you will say it is wonderful. In Bergen there are roads and parks and everything constructed out of what we call brandy money. It has been all done from liquor money." There is prohibition, he said, in the country districts and some small towns. How it works is illustrated in an incident of his personal experience. He said : " I was in Hardanger Fjord ; there are large hotels, and I noticed that I could not get a glass of grog if I bought the whole hotel ; and there were three or four large hotels—large tourist hotels—in every place, and it was impossible to get a glass of grog. That is in the country."

Mr. Gustafson is a Swede. He said the Gothenburg system was undoubtedly adopted with the purest motives. At first, the business resulted in a remarkable reduction in drunkenness and the crimes which come from drink. But all that has changed, and now there is a marked increase in all the bad effects of the liquor traffic. He said : " In the first place these companies are either private companies, which have got from the municipality the right of controlling the liquor business, or else it is a municipality itself, and in most cases the power is in the hands of municipal ' rings,' resulting in the most outrageous corruption. These municipal ' rings,' brandy ' rings' and refining ' rings' take on an average from 25 to 35 per cent. for refining the people's liquor, and that is a considerable profit on all the liquors sold in a large community. In order to retain themselves in power the municipal government must be able to show the people that they

have reduced drunkenness and drink crimes to a great extent ; hence, as they are themselves the municipal power, the policeman does not dare to arrest anyone who gets drunk, and the judge does not dare to convict anyone brought before him. I have walked in the streets of Gothenburg at 10 o'clock in the morning and met five men drunk, so drunk that they could hardly walk straight, holding one another by the arm, insulting decent women, and the policeman had turned his back, because he would not retain his position if he did not. The statistics show that drunkenness is on the increase in both Sweden and Norway. And the statistics do not show as badly as they are. I remember when I was at the temperance congress at Christiana, the Minister of Instruction made a very favorable showing to the congress of the result of the Bergen system at Christiania ; but the night previous I had been to the police commissioners and obtained the official statistics as to drunkenness for the last six years, and they showed that if every man, woman and child in Christiania had been arrested once, that would cover, and only cover, the number of arrests for drunkenness."

CONCLUSIONS.

The majority report sums up the advantages of the system in a number of paragraphs of which the most important are the following :

That the introduction of the company system had the effect of reducing the number of public house licenses for the sale of liquor, and improving their condition and management.

That since the adoption of the company system there has been an improvement in the quality and a large reduction in the consumption of spirituous liquors ; that there has been a large increase in the consumption of malt liquors and wine, but not to an extent to carry the present ratio of consumption of alcohol up to the figure at which it stood before the operations of these companies were commenced.

That, although there are no complete statistics whereby the fact can be conclusively established, there has been a decrease in drunkenness and an improvement in the general condition of the population.

The most important of the conclusions arrived at by the minority report are as follows :—

In the earlier years of the system there was a reduction in the number of persons arrested for drunkenness.

Such benefits as resulted from the system were such as result from lessening facilities for getting intoxicating liquor.

Such benefits are not now apparent. Drunkenness and the other evils of the liquor traffic have increased in late years.

Whatever permanent improvement has taken place in the last quarter of a century has been in spite of, rather than because of, the Gothenburg System, and is mainly attributable to the strong temperance agitation, and to the prohibition of the liquor traffic which is in operation over areas of the country containing about four-fifths of the population.

The original purpose of the system has, largely, been lost sight of. Intended to save the liquor traffic from the dangerous features supposed to arise out of the greed of individual licensees, it has degenerated into a system to encourage and satisfy the greed of shareholders scattered all over the country. It also appeals to the cupidity of municipal authorities and to that large class, found in every community, who think they see in the revenues derived from the traffic a relief from taxation.

The respectability and the fiscal importance given the liquor traffic by the system make the traffic greatly more dangerous to the moral sense of the community, and seriously interfere with moral reform.

Canada, in which the consumption of liquors and the record of public drunkenness and crimes resulting from drink, are much lower than in Norway and Sweden, has nothing to gain by the adoption of the Gothenburg system; and has nothing to learn from it, except that no system of license, by whatever name called, or conducted under whatever auspices, interferes permanently with the liquor traffic, or diminishes its inevitable evils.

CHAPTER III.

BEER AND LIGHT WINES.

A good deal of attention was given in the course of the Commission's inquiry to the theory that intemperance might be diminished by encouraging the freer use of beer and light wines as beverages, thus lessening the use of stronger liquors. Some witnesses thought that it would be well to make the sale of wine and beer practically free, putting heavier duties upon the stronger alcoholic liquors.

In their report the majority practically ignored this evidence. It is, however, discussed at some length in the minority report, from which the following paragraphs are taken.

Dr. Albert Day, for many years Superintendent of the Washington Home for Inebriates, Boston, Mass., says :—

I have treated nearly 7,000 cases of inebriety, and eight-tenths of that number originated from wine and malt liquors.

The *Scientific American* is authority for the following :—

The use of beer produces a species of degeneration of all the organism, profound and deceptive. Fatty deposits, diminished circulation, conditions of congestion, perversion of functional activities, local inflammation of both the liver and the kidneys are constantly present. Intellectually a stupor amounting almost to paralysis arrests the reason, changing all the higher faculties into mere animalism, sensual, selfish, sluggish, varied only with paroxysms of anger that are senseless and brutal. In appearance the beer drinker may be the picture of health, but in reality he is most incapable of resisting disease. A slight injury, a severe cold, or shock to the body or mind, will commonly provoke acute disease, ending fatally. Compared with inebriates who use the different kinds of alcohol, he is more incurable, more generally diseased. The constant use of beer every day gives the system

no recuperation, but steadily lowers the vital forces. It is our observation that beer drinking in this country produces the very lowest forms of inebriety, closely allied to criminal insanity. The most dangerous class of tramps and ruffians in our large cities are beer drinkers.

The *Pacific Medical Journal* makes the statement that the hereditary evils of beer drinking exceed those which result from the use of distilled spirits. Reasons are given for this opinion, thus :—

First, because the habit is constant and without paroxysmal interruptions which admit of some recuperation ; second, because beer drinking is practised by both sexes more generally than spirit drinking ; and third, because the animalizing tendency of the habit is more uniformly developed, thus authorizing the presumption that the vicious results are more generally transmitted.

This judgment of an influential medical journal is weighty, and may well cause such beer drinkers as have regard for themselves and their posterity to hesitate about further indulgence of so dangerous a habit.

Evidence given before the Commission by Dr. Arnott, of London, Ont., is in agreement with the medical opinions quoted. He said :—

I lived in a little village where I knew everybody, and the beer drinkers of that place are all dead long ago, every one with Bright's disease, with the exception of one man, and he has had Bright's disease for ten years and has had three strokes of paralysis. He is a mere wreck, a helpless cripple.

Wine and beer are not, as many have believed, and as some still believe, temperance drinks. Mr. Axel Gustafson, author of "The World's Drink Problem," says :—

The two continental countries drinking the lightest wines and beers, France and Belgium, are the most drunken.

Judge White, Pittsburg, Pa., makes this statement :—

From thirteen years' experience in the criminal court I am thoroughly convinced there are far more evils resulting from the use of beer in this country than from whiskey. The liquor traffic in this country has become a most gigantic evil. From my experience at the bar and on the bench I believe it is the cause, directly or indirectly, of four-fifths of all the crime, poverty and misery in our midst. The license fees received by the country do not equal the expense incurred in the prosecution of criminals and the support of the poor.

Rev. Dr. Lathern, editor of the *Wesleyan*, Halifax, N.S., told the Commission that in the north of England, where

he spent his early life, it was believed that beer drinking was more brutalizing in its effects than the drinking of spirits. He said :—

The worst effects of drinking, the most brutalizing effects I have ever seen, have arisen from the drinking of beer in the north of England.

GERMANY.

The advocates of beer drinking have been in the habit of pointing to Germany as a particularly sober country, which has been in no way injured by the general and very large use of its favorite beverage. Yet the drink question has become an important one in the political economy of that country. Prof. Schmoller, of Berlin, an able political economist, thus writes :—

Among our working people the conditions of domestic life, of education, of prosperity, of progress or degradation are all dependent on the proportion of income which flows down the father's throat. The whole condition of our lower and middle classes—one may, even without exaggeration, say the future of our nation—depends upon this question. If it is true that half our paupers become so through drink it gives us some estimate of the costly burden which we tolerate. No other of our vices bears comparison to this.

A German military critic, commenting upon the unsatisfactory condition of a detachment of reserves suddenly called out for the autumn manœuvres (1892), and attributing their poor condition and absolute incapacity for vigorous drill to their inactive, beer-drinking habit of life, said :—

Unless Germany redeems herself from the saloon, she will look in vain for competent defenders when the test of war is to be met. A man cannot rise from his *kneipe* and fight for his fatherland.

It has been estimated that the military efficiency of the German army has been depreciated 15 per cent. on account of the beer-drinking habits of the German soldiers. One of the latest utterances on this topic is that of Mr. Brendell, in March, 1894, before the Anthropological Society of Munich. Among other things he said :—

Germany spends at present 2,500,000,000 marks annually for the alcoholic beverages (about \$625,000,000). Although large quantities of beverages were drunk formerly, still only in the last century, and more especially only in the last decade, in

which the brewer's art was perfected, drinking has become universal. It has spread everywhere and increased to a frightful, most alarming extent. It has been introduced even into country communities, and the only inevitable consequence will be the thorough degeneration of the human race, if the evil is not checked before it is too late. Although it is contended that beer contains less alcohol than either wine or whiskey, it is nevertheless as injurious as either of them, while its vaunted nutritive value stands in no proportion to its price.

It is not surprising, in view of the foregoing statements, that much anxiety is felt among the thinking people of Germany and that remedies are sought for the evils. An important association is that known as the "*Verein Gegen Den Missbrauch Geistiger Getranke*" (A Union to prevent the Misuse of Liquors.) It was organized in 1883. Among its first supporters were the Emperor Frederick, Gen. Von Moltke, Field Marshal Herwarth Von Bittenfeld, and the Oberburgermeister Miquel, late Prussian Minister of Finance, and one of the most important persons in Germany. It has also among its members many physicians, prison officials, directors of asylums, pastors concerned with missionary work, charity experts like Dr. Emminghans of Gotha, economists like Professor Bohmert of Dresden, and many other persons brought professionally or by their philanthropic activity into close relations with the question of drink.

Moved by the gravity of the situation, the Emperor has proposed a new measure for the regulation of the drink traffic, the object being to reduce the evils now so manifest. The *Reichanzeiger*, one of the leading papers of Berlin, which published in full the proposed law against the "abuse of spirituous liquors," presenting reasons for its passage, stated that :—

In the year 1889-90 there were 2,279,828 hectolitres. (22 English gallons is one hectolitre) of pure alcohol consumed in Germany, or 4.64 litres for each man, woman and child in Germany. Of wines about 6.44 litres, and of beer an average of 90 litres per head for each human being in Germany, were consumed annually. There had been an increase in the number of cases of chronic alcoholism and of delirium tremens treated in public institutions, from 4,272 in 1877 to 10,360 in 1885. The alcoholic cases furnish about 20 per cent. of the cases treated in public hospitals. Of the prisoners in German penitentiaries convicted of murder, 41 per cent. were habitual drunkards; of those who committed manslaughter, 63 per cent., and other crimes varied from 40 to 68 per cent. by habitual drinkers.

FRANCE.

Inquiries made regarding the condition of affairs in France gave startling results. There has been recently an enormous increase in the consumption of alcohol, and a corresponding increase in the terrible effects of intemperance. It was argued by some witnesses that the failure of the wine crop led to the use of stronger drinks, and on the other hand it was urged that the habit of wine drinking is responsible for the development of the appetite for the stronger beverages. France is famous as a wine producing and a wine consuming country. Hon. Sir Henri G. Joly told the Commission of the drinking customs of France, as observed by him in his boyhood days, when wine was used about as freely as milk and tea are used in Canada, and without any apparent ill effects. Since that time, however, a sad change has taken place. The free use of intoxicating liquor has produced sad disaster. The minority report quotes extensively from an article in the French *Revue Chretienne*, from which we take the following extracts:—

The great black spot on the horizon is alcohol. No doubt its influence is felt among all classes of society, but it is especially a popular plague, a recent plague that has made itself sensible within the past thirty or forty years. At the present moment it increases and assumes the proportions of a universal danger. The race is struck in its vitals. The hospitals, almshouses and prisons bear testimony to its progress. In certain districts one no longer counts the drunkards, but those who are not. That which is now drank is infinitely different from that which was formerly consumed. It is a cheap kind of liquor, adulterated with brandy made from the beet root and potato, with which the unprincipled manufacturers are flooding the world, and this poison is alike destructive of intellectual, moral and physical life. It may be truthfully said of him who drinks it that he drinks his own death and that of his children. It poisons the future, and predestinates coming generations to physical weakness, imbecility and crime.

It is impossible for any one to fully estimate the moral, political, social, and hygienic effects of alcoholism. In nine-tenths of the maladies, the accidents, the crimes, and the ruin, in much of the uncontrolled passions and popular disorders, one can well say *cherchez l'alcool*. The ravages of the alcohol among the youth of the common classes are frightful. There is scarcely any longer an amusement or a recreation with which it does not mix itself. It interferes with or destroys every rational enjoyment; it prevents proper physical development; it neutralizes the good effects

of reunions for social pleasure and relaxation. Every assembly, every excursion for whatever object, is in danger of terminating in a drunken debauch. Manners become coarse, and the language as well as the songs, brutal.

Formerly the large cities depended upon the country for the purification of the life blood. The source itself is now tainted. In the lovely valleys that roll back among the Vosges, springs of crystal water abound, the air is pure, and within the memory of man epidemic has never reigned. But alcohol now reigns as master. The number of feeble children constantly increases. Disorder is in the manners, in the purse and in the household. The fruits of a life of toil disappear. Alcohol is more terrible than war, than pestilence, or no matter what natural calamity.

Other leading French journals have forcibly called attention to the same terrible evils. Statistics have been published showing the rapid increase of insanity and other maladies. *Le Temps*, an influential Paris daily, published in May, 1894, a strong article, showing that the increasing revenue from the liquor traffic was being accompanied by disaster to the nation. Among the statements made were the following :—

There are workmen who, under the pretext of giving themselves strength, drink half a litre or a litre of more or less harmful eau de vie daily. Can one represent to himself without sadness what becomes of the homes and the children of these workmen? The father, as has been said, does not make old bones; the wife becomes corrupted in her turn; the children are rickety, sometimes idiots, incapable of living, without speaking of the terrible law of heredity, which in the race multiplies the consequences of heredity with the progressive speed of the falling stone. . . . Which of us could not cite families, or even groups of individuals, whom this abuse of strong liquors has caused to disappear or reduce to almost nothing?

Statistics tell us that the French population has ceased to increase. Last year (1893) the number of deaths exceeded the births by 20,000. How can we help noting that this physiological decadence of the French race, at least in certain districts, coincides with the progress which the same statistics show in the consumption of alcohol?

Mr. Gigault, one of the Commissioners, made a summary of two reports on the liquor traffic, one by a Commission appointed by the French Senate in 1886, and another made in pursuance of a decree by the French President in 1887. These reports fully justify the strong statements already quoted. The following extracts will be interesting :—

By consulting a table relating to criminality, we ascertain that the departments the most addicted to the consumption of eau-de-

vie, supply to the criminal classes a more considerable contingent than others.

The excessive consumption of alcohol, chiefly of the trade alcohol, has an influence upon the human constitution, and the health of children has, almost always, to suffer from the alcoholic excesses of the father. In Normandy chiefly, in that fine province which a map annexed to the report shows in a clear manner, the mortality of infant children is frightful though not enumerated in the official statistics, which only record the deaths of children many months old.

From the beginning of this century there has been a progressive increase of suicides.

By the tables published by the Government, we see that the asylums which have the most numerous alcoholic contingent are precisely those situated where alcoholic consumption is the greatest.

In 1885 there was, at a medium, 94 inhabitants for every débit (saloon). The French temperance society has asked that there should be not more than one débit for each two hundred inhabitants.

In conclusion, after a study of the liquor traffic in France and in foreign countries, and an examination of the numerous transformations which the legislation in regard to it has undergone, they state: "We have been able to ascertain that no legislation or combination has stopped the continuous progressive growth of consumption of liquor."

Rev. Dr. McLeod speaks in the following terms of the appalling statements, of which the foregoing are merely examples:—

The explanation of the increased use of the stronger alcoholic liquors, given by those who advocate the free use of wine, is that the injury to the vines by phyloxera so greatly diminished the wine production of France that the people were compelled to resort to other and stronger drinks.

It is apparent, however, that the use of stronger liquors began before there was any shortage in the wine production; and though a diminished wine production in some years may have accelerated the increased use of spirits, it does not appear that in any subsequent year, when the wine production was normal, the consumption of the stronger liquors correspondingly decreased:

It may also be suggested that since the free use of wine, as in France, causes a condition which impels the people when wine is scarce, to resort to stronger drinks, producing such a lamentable state of things as now exists there, the use of wine is not a habit to be encouraged with a view to overcome alcoholism and its train of vices.

All the facts show that it is too late to cite the experiences of Germany and France as justifying the encouragement of the use of beer and wine.

CHAPTER IV.

HIGH LICENSE.

In some places the fees charged to liquor licensees have been made specially large, on the theory that such a course tends to the lessening of the evils of intemperance. In many cases these high license laws also embody other stringent restriction features. The good results are supposed to come about because of the following reasons :—

1. That high license fees reduce the number of saloons and taverns, thereby making temptations to drink fewer and less effective.
2. That high license fees confine the business to better-off and more reputable men.
3. That licensees who pay heavy fees will co-operate in the prosecution of those who sell illicitly, for the protection of their own business.
4. That other stringent regulations will tend to minify the evil.

It is also argued that the liquor traffic should contribute liberally to the public revenue so as to make it meet the heavy expense that intemperance entails upon the community.

This system has had fullest trial in the United states. In chapter 5 of Part II. will be found a classification of the license fees paid by different states. For convenience

of consideration in this chapter, fees of \$300 or more are considered "high."

FEDERAL PERMITS.

As some mention is about to be made of United States tax receipts, or permits to sell liquor, it is necessary to bear in mind some facts already mentioned regarding these permits. Every person selling liquor in the United States is required to take out a tax receipt from the officers of the general government. The penalty for selling without this receipt is very severe. All persons who sell liquor for any purpose must be thus authorized. Permits are therefore taken out by druggists and other legally authorized vendors, even in prohibition states. In both prohibition and license territory persons who sell liquor illegally find it to their interest to take out these permits, the cost of which is small. They are thus free from the heavy penalties imposed for violation of the national law, and run only the risk of the state penalty for violation of the local statute. In some cases many of the persons holding permits are those who have tried to sell liquor and have been punished. Their business may have been closed, they may be in jail, they are nevertheless on the list.

COMPARATIVE STATISTICS OF LIQUOR CONSUMPTION.

For reasons stated and others that will readily suggest themselves, official statistics do not always give an accurate representation of the extent of the liquor traffic in different localities. We must, however, do the best we can with the materials at hand. The minority report gives us this information :—

The following table compiled by Mr. C. DeF. Hoxie, from the returns of the United States Internal Revenue Commissioner, for the year ending June 30th. 1887, shows the volume of the liquor traffic in the representative high license, low license, and prohibition states. A compilation of the returns of a more recent year would have been made but that a change in the methods of reporting to the Inland Revenue Department, introduced in 1888, makes such compilation practically impossible. The table, given, however, serves as a basis of comparison. It shows that for the year designated, the revenue collected as excise duties on liquors

consumed in the high license states was \$2.11 per capita, in low license states \$1.72 per capita and in prohibition states, \$0.34 per capita; indicating a liquor traffic in the high license states considerably in excess of the traffic in the low license states, and about seven times as great as prohibition states. Following are the details of the comparison together with a summary and, also, an explanatory statement.

**VOLUME OF THE LIQUOR TRAFFIC IN THE HIGH LICENSE,
LOW LICENSE AND PROHIBITION STATES.**

High License States (\$300 to \$1,000.)

	Population 1888.	No. United States Special Tax permits to sell liquors.	Total United States revenue from liquors.
Illinois.....	3,437,810	12,966	\$ 23,213,673 00
Massachusetts	2,005,763	8,216	2,010,647 24
Michigan.....	2,078,658	7,068	634,905 53
Missouri.....	3,125,000	7,408	4,543,415 01
Nebraska.....	1,600,000	3,627	2,305,492 80
Texas.....	2,705,967	3,889	146,228 84
West Virginia.	786,500	841	306,577 09
Total.....	15,739,698	44,015	\$ 33,160,939 51

Low License States (less than \$200).

Colorado.....	410,000	2,361	\$ 196,863 69
Delaware.....	150,000	709	59,310 12
Indiana.....	2,400,000	6,030	4,004,036 05
Kentucky.....	1,940,585	4,028	10,895,551 13
Louisiana.....	1,000,000	4,987	242,110 83
Maryland.....	1,336,931	6,627	1,873,596 90
Nevada.....	265,500	1,024	61,671 81
New Jersey.....	1,330,000	8,441	1,927,042 53
New York.....	5,709,969	35,870	9,668,753 58
Pennsylvania.....	5,074,527	21,779	4,840,992 32
Total.....	19,617,512	91,856	\$ 33,769,928 96

Prohibition States.

Iowa.....	1,824,840	3,978	\$ 1,740,267 63
Kansas.....	1,600,000	2,247	75,637 55
Maine.....	660,139	1,030	20,000 06
New Hampshire.....	378,000	1,435	357,303 08
Rhode Island.....	310,000	1,246	102,175 98
Vermont.....	336,000	507	12,955 16
Arkansas (a).....	1,200,000	595	60,971 76
Florida (a).....	375,000	326	10,735 42
Georgia (a).....	2,041,669	1,725	263,764 98
Tennessee (a).....	1,700,000	1,640	886,742 33
Total.....	10,425,668	14,739	\$ 3,510,573 65

(a) Largely under prohibition by local option.

SUMMARY OF THE TABLE.

	No of popula- tion to one special tax permit.	Liquor revenue per capita.
High license states	358	\$ 2.11
Low license states.....	214	1.72
Prohibition states.....	708	34

The figures in the foregoing do not take into account the large areas of prohibition in several of the high license states, and the comparatively small areas of license in the partially prohibition states.

This table shows that while there were 40 per cent. fewer liquor dealers on the basis of population in the high license than in the low license states, yet the strength of the liquor traffic in the high license states, as shown by its contribution to the Federal revenue, was 23 per cent. greater than in the low license states.

Though the changed system of Inland Revenue reports, by which returns from high license, low license and prohibition states are often grouped, being from a single "collection district," makes it impossible to make a like comparison for the years since 1887, the returns from each state of the annual sales of beer are available. And these returns up to and including 1893, show that the volume of this traffic has steadily increased. The seven States which best represent the high license system are Illinois, Massachusetts, Michigan, Minnesota, Missouri, Nebraska and Pennsylvania; the license fees in them ranging from \$500 to \$2,000. The aggregate quantities of malt liquors sold in them each year from 1887 to 1893 are as follows:—

Year.	Barrels.
1887.....	7,182,459
1888.....	7,903,427
1889.....	8,083,748
1890.....	8,592,194
1891.....	9,871,328
1892.....	10,376,673
1893.....	11,534,915

The foregoing figures show that high license does not lessen the consumption of liquors, but, instead, increases it. This is, doubtless, one reason why those engaged in the liquor traffic have come to regard the system with such marked favor.

Various opinions were expressed by different witnesses in high license states, as to the results upon the criminal record, of the increase of license fees. It may be taken for granted that in rural places, where high license would clear the liquor traffic out of large stretches of territory, much good would result, while in populous places where the number was lessened, but sufficient places still were left to supply great temptations to, and facilities for drinking, drunkenness would be less affected. Some high license laws also embody local option provisions under which, as in Minnesota, the liquor traffic has been largely driven out of the rural portions. The following quotations are from the evidence of Hon. W. R. Merriam, of St. Paul, who had served two terms as Governor of Minnesota.

A high license law was passed in 1886, providing that saloons in cities of above 10,000 population should pay \$1,000, and in cities of less than 10,000 population \$500, with the right, however—which in my judgment is the chief advantage of this law—on the part of towns and township organizations to absolutely prohibit the sale of liquor. In other words, we adopted what we call high license with local option, giving the right to any community by a majority vote to prohibit the sale of liquor of any kind. A good many of our smaller towns do not have any license at all.

Ques. Taking it all in all, do you believe it the best system that can be adopted?—*Ans.* By all means. I believe it has been sufficiently tested in this State to prove beyond peradventure that it is the wisest system that can be adopted under all circumstances. It has worked out admirably. It has satisfied all classes of people, it provides a large revenue for towns and counties, and to my mind, what is the most important feature of it, if a community desires to be free from the sale of liquor, all it has to do is to vote to that effect.

Ques. To what extent has this privilege of local prohibition been taken advantage of?—*Ans.* In a great many instances.

You will notice frequently in the papers that many little towns have voted against license.

Ques. Mainly rural places?—*Ans.* Yes.

Ques. Are there many licenses granted in outside towns—country places?—*Ans.* No, very few. The license is so high, that perhaps there would be only one or two saloons in a place.

This was corroborated by a number of other witnesses. The following extracts are from the testimony of Rt. Rev. Archbishop Ireland :—

Ques. You knew the State under what is called the low license system as well as under the present system?—*Ans.* Yes.

Ques. Which of the two do you find preferable?—*Ans.* The high license decidedly.

Ques. In what respect do you find it better than the other?—

Ans. The high license diminishes certainly the number of saloons, as we call them, throughout the State. In St. Paul and Minneapolis it has brought down the number by about one half. In many of the country villages where we had, under the low license system, for instance, twenty, we have now three or four ; where we had two or three, we have none ; and I believe that the reduction in the number of saloons reduces the temptation to drink—reduces the active agencies for obtaining drinkers, and in that way is quite an effective factor in promoting temperance.

Ques. And the license fee being so high prevents many men going into the business who otherwise would?—*Ans.* Decidedly. In one instance, in a place called New Prague, a Bohemian settlement, there were twenty-four saloons before high license, whereas there are now only four or five. In several settlements that I know of there are no saloons at all. In nearly all the country places, that is, outside the villages, there are no saloons at all.

The rigid restrictions already referred to certainly had a good effect, specially while they were new. In some cases the reduction in the number of licenses was owing to the other restrictions imposed upon their issue, as well as upon the increased license fee. This was notably the case in Pennsylvania. The working of the Brook's Law as it was called there, is thus set out by Dr. McLeod :—

The first year under the high license system the number of licenses issued in Philadelphia was reduced from 5,773 to 1,746. And the arrests for drunkenness that year were 13,087 below the number of the previous year. There was evidently a somewhat rigid enforcement of the restrictive feature of the law. The number of licenses was kept at the lowest possible, thus limiting the facilities for procuring drink ; observance of the prohibitions as to the sale was compelled, and arrests for drunkenness, there-

fore, were diminished. The large decrease in the number of licenses in the first year of the system, was due, chiefly, to the unusual strictness of the license commissioners. But later, others more pliant were selected to dispense licenses. There has been a steady increase in the number of licensed saloons, with a corresponding increase in the arrests for drunkenness, till the decrease which marked the first year of the system has been practically wiped out.

In 1890 the arrests were 49,148, an increase of 6,000 over 1889, which increase the report of the police department says,—“is wholly accounted for by the increase of arrests for intoxication and crimes directly attributable thereto. A great deal of this increase has been incurred through licensing a large number of wholesale liquor dealers and bottlers, who are, in fact, retail dealers.”

In 1891 the total arrests were 53,184, an increase of 4,036 over 1890. The arrests for drunkenness and disorderly conduct in 1891 were 24,785, an increase of 124 over the previous year.

In 1892 the total arrests were 52,944, a decrease of 240 below 1891. But while the total arrests show this slight decrease, the arrests for drunkenness and disorderly conduct were 26,194, being 1,409 in excess of arrests for the same cause in 1891.

The minority report has also an exceedingly instructive analysis and comparison of statistics of high license and low license cities in the following form :—

There are records which show the result of both systems. A comparison of the police records for 1888 of two groups of cities in the United States—one group under high license, and the other group under low license—has been made. The high license group numbered 41 cities with an aggregate population of 4,775,000 ; the low license group numbered 38 cities with an aggregate population of 4,857,000. The average license fee in the high license group was \$665 ; the average fee in the low license group was \$122. The high license cities had one licensed saloon to every 387 of the population ; the low licensed cities had one to every 144 of the population. The arrests, for all causes, in the high license group averaged one to every thirty-nine of the population ; in the other cities the arrests averaged one to every 39.7 of the population—practically the same. But of the total arrests in each group the proportion of arrests for drunkenness and disorderly conduct was larger in the high license cities, in which they were 56 per cent. of the whole ; while in the low license cities they were 52 per cent. of the whole.

To be able to make an exhibit of results at the latest date possible, your commissioner presents a carefully prepared compilation based on returns of 1893. The table following contains the facts about two groups of cities—a group of thirty-eight high license cities, and one of thirty-nine low license cities. These two groups are contrasted as to the number of saloons, and the arrests

for drunkenness and disorderly conduct. The figures of the population, the number of saloons and the amount of license fee, in each case, were furnished by the officials of the cities named. The figures of arrests, and the classification of arrests were obtained either from the printed police reports or were furnished by the police officials on application. The table includes all high and low license cities of 25,000 population or over from which it was possible to get returns on all points.

CITIES.	Present estimated population.	Annual license fee for ordinary saloon.	Number of saloons in 1894.	Population to one saloon.	Total number of arrests.	Arrests for drunkenness and disorderly conduct.	Number of population for one arrest for drunkenness and disorderly conduct.
<i>High License.</i>		\$					
Haverhill, Mass.	30,000	2,000	27	1,111	2,055	1,642	18
Taunton, "	27,000	1,700	25	1,080	988	765	35
Lowell, "	85,000	1,500	77	1,104	5,635	4,192	20
New Bedford, Mass. ..	60,000	1,500	43	1,395	1,969	1,347	45
Springfield, "	50,000	1,500	44	1,135	2,451	1,730	28
Worcester, "	100,000	1,400	84	1,190	5,041	3,507	28
Fall River, "	87,000	1,300	74	1,176	3,912	2,297	38
Holyoke, "	40,000	1,300	35	1,143	1,453	1,523	26
Little Rock, Ark.	35,000	1,021	50	700	4,002	1,322	26
Philadelphia, Pa.	a1,142,653	1,000	b2,181	524	57,297	28,095	46
Boston, Mass.	400,000	1,000	672	714	46,109	31,642	15
Pittsburg, Pa.	230,000	1,000	310	807	15,189	10,141	24
Minneapolis, Minn.	210,000	1,000	274	766	c5,493	c2,798	77c
St. Paul, Minn.	175,000	1,000	340	515	5,920	2,603	07
Omaha, Neb.	150,000	1,000	219	685	6,246	2,049	63
Allegheny, Pa.	115,000	1,000	140	821	d3,782	d2,624	44d
Atlanta, Ga.	100,000	1,000	86	1,163	12,903	8,293	12
Duluth, Minn.	70,000	1,000	108	648	2,800	1,309	53
St. Joseph, Mo.	55,000	1,000	108	509	2,787	1,234	45
Kansas City, Mo.	150,000	800	335	448	7,817	2,218	08
St. Louis, Mo.	500,000	600	2,000	250	25,280	10,971	46
Denver, Col.	150,000	600	361	416	7,064	2,410	62
Los Angeles, Cal.	70,000	600	163	429	3,077	1,396	50
Seattle, Wash.	63,000	600	170	371	4,590	1,189	53
Chicago, Ill.	1,500,000	500	6,500	231	89,833	51,578	29
Detroit, Mich.	250,000	500	1,194	210	7,769	4,102	69
Grand Rapids, Mich. ..	95,000	500	191	497	1,843	986	96
Scranton, Pa.	90,000	500	400	225	1,880	1,268	71
Reading, Pa.	80,000	500	150	533	1,395	1,349	59
Hartford, Con.	60,000	500	175	343	5,119	3,825	15
Saginaw, Mich.	55,000	500	220	225	2,163	1,036	53
Tacoma, Wash.	55,000	500	110	550	2,893	789	69
Peoria, Ill.	50,000	500	170	294	1,964	1,250	40
Altoona, Pa.	40,000	500	27	1,481	e1,680	e870	46e
Quincy, Ill.	38,000	500	145	252	1,201	752	48
Bay City, Mich.	35,000	500	160	219	1,140	669	52
Pawtucket, R. I.	30,000	500	150	200	1,737	1,175	26
Allentown, Pa.	30,000	500	63	476	360	212	141

CITIES.	Present estimated population.	Annual license fee for ordinary saloon.	Number of saloons in 1894.	Population to one saloon.	Total number of arrests.	Arrests for drunkenness and disorderly conduct.	Number of population to one arrest for drunkenness and disorderly conduct.
<i>Low-License Cities.</i>		\$					
Washington, D.C.	265,000	400	619	428	27,245	11,348	23
Providence, R.I.	150,000	400	403	372	7,105	4,999	30
New Haven, Conn.	92,500	400	399	232	6,541	3,770	25
Portland, Or.	90,000	400	290	310	4,619	1,862	48
Oakland, Cal.	55,000	400	200	275	3,210	1,611	34
Chattanooga, Tenn.	40,000	400	75	533	3,071	1,194	33
Waterbury, Conn.	36,000	400	162	222	1,619	932	38
Wilmington, Del.	70,000	300	200	350	4,019	2,437	29
Sacramento, Cal.	35,000	300	200	175	2,670	929	37
Baltimore, Md.	500,000	250	2,100	238	31,363	17,091	29
Cincinnati, O.	340,900	250	2,250	151	18,633	5,532	61
Cleveland, O.	330,000	250	1,800	183	9,368	5,405	61
Newark, N.J.	215,000	250	1,295	166	6,605	3,222	67
Jersey City, N.J.	190,000	250	1,100	173	5,081	555	342
Toledo, O.	110,000	250	658	167	3,352	1,747	63
Columbus, O.	110,000	250	400	275	5,367	1,879	59
Paterson, N.J.	90,000	250	540	167	2,402	1,906	47
Trenton, N.J.	63,000	250	363	173	2,343	1,324	47
Hoboken, N.J.	50,000	250	335	149	3,077	722	69
Springfield, O.	40,000	250	143	280	1,500	440	91
Canton, O.	30,000	250	124	242	1,023	587	51
New York, N.Y.	1,890,000	200	7,320	258	86,488	46,007	41
Milwaukee, Wis.	265,000	200	1,600	166	6,219	4,530	59
Savannah, Ga.	55,000	200	280	193	3,485	1,511	36
Richmond, Va.	90,000	175	310	290	6,070	2,564	34
Louisville, Ky.	180,000	150	950	189	7,079	3,696	49
Syracuse, N.Y.	100,000	150	555	180	4,917	1,469	68
Norfolk, Va.	45,000	150	175	257	4,581	1,755	26
Buffalo, N.Y.	320,000	125	2,512	127	19,062	9,308	34
Brooklyn, N.Y.	1,900,000	100	3,805	263	40,349	24,119	41
New Orleans, La.	250,000	100	1,200	208	23,228	12,236	20
Covington, Ky.	45,500	100	200	228	1,400	921	49
Fort Wayne, Ind.	40,000	100	180	222	1,356	991	40
Auburn, N.Y.	28,000	100	116	241	1,158	617	45
Binghamton, N.Y.	40,000	85	109	367	1,179	750	53
San Francisco, Cal.	320,000	84	3,800	84	26,982	16,038	20
Albany, N.Y.	100,000	60	850	118	2,506	1,390	72
Elmira, N.Y.	35,000	55	260	135	1,808	919	38
Long Island City.	45,000	50	321	140	1,661	391	115

SUMMARY.

38 high license cities..	6,600,653 {	2,000 to 500	17,581	375	354834	197068	33.5
39 low " " "	7,750,000 {	400 to 50	39,199	203	389741	196805	39.4

a Municipal census, 1892. b Including 541 wholesale liquor houses. c The number convicted only. d Includes 14 months. e Nine months only.

It would seem from these records that high license has not been more effective in lessening drunkenness than in reducing the consumption of liquors.

LAW ENFORCEMENT.

In some instances the commissioners were assured that licensees had rendered aid to the officials in carrying out the law. These cases were comparatively few, and, generally speaking, even persons who paid the high fee made no effort to suppress illegal sale. Indeed it was suggested that licensees supplied illicit dealers, specially illicit dealers of a low class, thereby deriving benefit from a class of custom which they did not wish to encourage in their more respectable establishments. The following is from the evidence of Rev. Father Martin Mahony, of St. Paul, Minn. :—

Ques. It has been said that high license has the effect of putting the business into the hands of more reputable and trustworthy men; have you observed as to that?—*Ans.* I believe it has not been so. There have been men running the business, as reckless and indifferent to any moral considerations as ever there were. It was said, too, that the payment of a high license by a certain number of saloon-keepers would set them on the watch for others who attempted to sell without license, or otherwise broke the laws. I have watched that, and in the last eight or ten years I cannot remember, either from personal knowledge or from reading the papers, a single case in which a lawsuit was brought against an unlicensed seller by the licensed parties. It was said also that it would prevent the sale to minors. I have said that it has not prevented the sale of liquor on Sundays, nor in late hours of the night. But I remember distinctly, about two or three years after high license was enacted here, one or two saloon-keepers were prosecuted, not only for selling to boys, but getting them drunk. I believe it was the drunkenness and sickness of one of the boys that brought on the suit. But after some postponements and legal technical delays, the suit fell through and nothing came of it. Some time after that the papers told how four or five newsboys came intoxicated into a Sunday school in the city.

ATTITUDE OF THE TRAFFIC.

Many men engaged in the liquor traffic, who were examined by the commissioners, expressed themselves as strongly in favor of high license. This endorsement by those who are interested in the encouragement of the business is certainly suggestive. The minority report has some quotations from sources that may be considered authorita-

tive as voicing the views of the liquor interest. A few extracts from them will be instructive.

Bonfort's Wine and Spirit Circular, which voices the feelings of the trade, referring to the Brooks law, says :—

Increase of the license fee in Pennsylvania from \$500 to \$1,000 will be the best investment the liquor interest has ever made.

On the same subject the *Wine and Spirit Gazette* says :—

It must be admitted that the Philadelphia liquor-sellers, whose stores are at present bonanzas, favor the increase of the annual license fee to \$2,000. The higher the fee the better their chance of crowding the little fellows out of the business, and creating a monopoly by which a few will make large fortunes.

The President of the Liquor Dealers Protective League says :—

The true policy for the trade to pursue is to advocate as high a license as they can in justice afford to pay, because the money thus raised tends to relieve all owners of property from taxation, and keeps the treasuries of the towns and cities pretty well filled. This catches the ordinary tax payer.

Mr. Peter Iler is the leading distiller in Nebraska. He is extensively interested in the retail trade. After several years' experience of the high license system he gives it his warmest approval because of the great advantages it confers upon the traffic. The following extracts from a letter, written by him for the information and guidance of liquor dealers in another State, tell why he and the men of the traffic generally favor high license :—

High license does not hurt our business, but, on the contrary, has been a great benefit to it * * * I believe somewhat that high license acts as a bar against prohibition. It is especially so in this state, as the tax from the license goes towards supporting the schools, thereby relieving the citizens of just so much tax that they would otherwise have to pay * * * It also gives the business more of a tone and legal standing, and places it in the hands of a better class of people.

I do not think high license lessens the quantity of liquor used. I believe, if it were put to a vote of the liquor dealers and saloon men whether it should be high license, low license or no license, they would almost unanimously be for high license.

I would be in favor of high license rather than trust to the non-enforcement of the law under prohibition. We have had a great deal of business in Iowa, both before it was prohibition and since, and we can positively say that there is very little satisfaction in doing business in that state now. Ever so often the goods are

seized, and it causes a great deal of delay and trouble to get them released; and then there is a fear of not getting money for the goods, and all the forms we have to go through, making it a very annoying business. It is like running a railroad under ground. You don't know where you are going or what is ahead. In all my experience of ten years in Ohio before the temperance movement, and twenty years experience here (Nebraska), previous to high license and since, I believe that high license is one of the grandest laws for the liquor traffic.

RELATED EVILS.

It is hardly to be disputed that the high license idea has a bad effect upon the public conscience. The system of permitting a recognized evil, on condition of a money payment, appeals to the cupidity of the tax payer, offering him a premium to ignore moral considerations. The higher the license the stronger will be this tendency, and it has led to deplorable results which we have no space to do more than mention. Nebraska may be called the headquarters of high license. In that state it had its origin. Some of the information there obtained is thus summarized by Dr. McLeod:—

Evidence heard, facts collected, and observations made have convinced your commissioner that the social evil and gambling are especially flagrant in high license communities. The logical outcome of deriving large revenues in license fees from the liquor traffic is the demand made, and practically conceded, that prostitution and gambling be also licensed. In Omaha, Neb., and other places in which the high license system is in operation, gambling is practically recognized as a legitimate business by the payment of a monthly fee (nominally a fine) into the city treasury. Gambling resorts, the mayor said, "run openly." And there are gambling facilities in connection with the licensed saloons.

The social evil is recognized and authorized in the same way. Once a month the wretched women who live by sin pay a fee, and are not interfered with so long as they make payments promptly. Many thousand of dollars are received by the city, annually, for the authorization of these two evils. The effect of all this is to obliterate moral distinctions and to debauch the public conscience. Rev. B. Fay Mills, an eminent religious teacher and leader, after spending several weeks in Omaha, said in a public meeting: "I have been in nearly every city in the United States, but nowhere have I found vice so open and without shame upon its countenance as in this promising city of yours. Nowhere have I seen the gambling hells run so openly and defiantly as here. Licensed

by the city to carry on their damnable work, they run openly and without fear of molestation. Nowhere have I seen the social evil so prominent. Acres of your fair city are set apart for the propagation of this evil, and beautiful and costly buildings are erected for no other purpose than to be used as houses of ill-fame. There is no other city in the United States that will compare with yours in open temples of depravity."

An Omaha paper—the *Christian Hour*—says: "It (high license) has sent the saloons more than ever into politics * * * The whole system of license has corrupted our police force and lower courts of justice; they are dens of thieves. Gambling hells are open at twenty-five dollars a month, generally in connection with the tony saloons."

Witnesses testified that, except in the payment of the large license fees, the liquor traffic does not regard the law, that there is scarcely a saloon that does not violate the law; they put up screens, they sell to minors, during forbidden hours, and on the Sabbath day. The statement as to Sunday selling was confirmed by the fact that on the Sunday the commissioners were in Omaha a man was nearly murdered in one of the saloons.

There was also much evidence that gambling and prostitution are very general in the cities, and, practically, receive like recognition and authority as the liquor traffic. The money received from these sources is appropriated to the support of the public schools.

SOME EXPERT OPINIONS.

Mr. Hardy, an ex-mayor of Lincoln, Nebraska, who is known as "the father of high license," discovered in a few years that it did not accomplish what he hoped and expected, and that it did aggravate the evils of the traffic. After nine years observation of the system he said, in 1890:—

There is no longer any excuse for being deceived as we were. The fraud has been tested and found wanting. . . . I thought I had done a good thing to reduce licenses (in Lincoln) from twenty-two to five, but when I found that it did not lessen the curse I saw my mistake. There is just as many stabbings, shootings and pounded noses as ever there were; just as many broken homes, crying wives and ragged children. It is no great consolation to a homeless, hungry, crying wife to tell her that her husband got drunk on high license whiskey. High license is one of the devil's best devices to deceive good temperance people.

The late Hon. C. B. Slocum presented the law in Nebraska legislature, and was so earnestly its champion that it is known throughout the State as "The Slocum Law." He believed it would produce good results. But he

lived long enough to see it tested and to know that it is a failure. In his last illness, speaking of the law, he said :—

I was honest in this matter, but it was the mistake of my life. The law as a temperance measure is an utter failure. The effect has been a disappointment, increasing the worst evils of the traffic.

The late Hon. J. B. Finch, of Nebraska, whose reputation was more than nation-wide, consented to the system in the hope that it might, at least, lessen the evils of the liquor traffic. After several years of observation he said :—

I know I was terribly mistaken in my theories. Many of the delusions urged in favor of high license have been exploded by the trial of the law.

CONCLUSIONS.

The majority report has the following :—

The undersigned believe that the imposition of high license fees, a more strict supervision of the places licensed, a thorough inspection of liquors, and an efficient enforcement of the law, would materially improve the character of the establishments where liquor is sold, and put an end to many of the evils which now result from the traffic.

The minority report says :—

High license has not demonstrated its superiority to low license in respect of reducing the volume of the liquor traffic, nor in lessening the drunkenness and the disorders traceable to drink ; instead, under high license, there has been an increase in the consumption of liquors, and a corresponding increase in drunkenness and related evils.

High license has not made easier the enforcement of restrictive regulations of license laws ; the restrictive and prohibitive features of the laws could be better enforced if no license fees were imposed.

High license has made the saloon appear important, without changing its character, except to make it more attractive and therefore more dangerous.

High license has created and nurtured a sentiment in favor of the saloon as a source of large revenue, making officers and the public chary of interfering with its violations of law.

High license has had a bad effect on the moral sense of communities, corrupting the public conscience ; the large fees paid have the effect of a bribe to the people to tolerate the saloon in the false belief that the burden of taxation is thereby lightened ; and gambling and prostitution are fostered and made sources of public revenue.

CHAPTER V.

THE CANADA TEMPERANCE ACT.

In Chapter 3, Part II., will be found a summary of the provisions of the Canada Temperance Act, popularly known as the Scott Act. It was placed on the Dominion Statute Books in 1878. The voting on its adoption or repeal since that time is given in the following table:—

The figures under the heading "For" are those of votes in favor of enacting or sustaining the law. Those under the heading "Against" are votes given against adopting or in favor of repeal.

YEAR.	PLACE,	VOTING.		MAJORITY.	
		FOR	AGAINST	FOR	AGAINST
1879	Albert, N.B.	718	114	604	.....
1881	Annapolis, N.S.	1,111	114	997	.....
1884	Arthabasca, Que.	1,487	235	1,252	.....
1888	"	230	455	.....	225
1885	Argenteuil, Que.	526	601	.....	75
1884	Bruce, Ont	4,501	3,189	1,312	.....
1888	"	3,693	5,085	.....	1,392
1884	Brant, Ont	1,690	1,088	602	.....
1889	"	1,289	1,441	.....	152
1884	Brantford (City), Ont....	646	812	.....	166
1885	Brome, Que.	1,224	739	485	.....
1893	"	1,207	1,073	134	.....
1879	Charlotte, N.B.	867	149	618	.....
1891	"	1,785	855	930	.....
1879	Carleton, N.B.	1,215	69	1,146	.....

YEAR.	PLACE.	VOTING.		MAJORITY.	
		FOR	AGAINST	FOR	AGAINST
1879	Charlottetown, P.E.I....	837	253	584	.....
1884	“	755	715	40	.....
1887	“	689	669	20	.....
1891	“	686	700	.....	14
1894	“	734	712	22	.....
1881	Colchester, N.S.	1,418	184	1,234	.....
1889	“	43	1,107	.....	1,064
1881	Cape Breton, N.S.	739	216	523	.....
1883	Cumberland, N.S.	1,560	262	1,298	.....
1884	Compton, Que.....	1,132	1,620	.....	488
1885	Carleton, Ont.....	2,440	1,747	693	.....
1889	“	1,682	2,407	.....	725
1885	Chicoutimi, Que.....	1,157	529	628	.....
1894	“ .....	.....	.....	.....	.....
1880	Digby, N.S.....	944	42	902	.....
1884	Dufferin, Ont.....	1,904	1,109	795	.....
1888	“	1,451	1,664	.....	213
1885	Drummond, Que..	1,190	170	1,020	.....
1889	“	739	600	139	.....
1892	“	505	1,010	.....	505
1885	Elgin, Ont.	3,335	1,479	1,856	.....
1889	“	547	1,770	.....	1,223
1878	Fredericton, (City), N.B.	403	203	200	.....
1882	“	293	252	41	.....
1885	“	298	285	13	.....
1889	“	370	302	68	.....
1885	Frontenac, Ont... ..	1,334	693	641	.....
1889	“	1,177	1,690	.....	513
1885	Guelph (City), Ont.....	694	526	168	.....
1889	“	480	929	.....	449
1885	Guysboro', N.S.....	463	31	432	.....
1881	Hamilton (City), Ont.	1,661	2,811	.....	1,150
1881	Halton, Ont.....	1,483	1,402	81	.....
1884	“	1,947	1,767	180	.....
1888	“	1,853	2,050	.....	197
1881	Hants, N.S.....	1,082	92	990	.....
1884	Huron, Ont.....	5,957	4,304	1,653	.....
1888	“	4,695	6,005	.....	1,310
1885	Hastings, Ont.....	2,369	2,376	.....	7
1885	Haldimand, Ont.....	1,755	2,306	.....	551
1882	Inverness, N.S.	960	106	854	.....
1885	Kent, Ont.....	4,368	1,975	2,393	.....
1889	“	2,855	4,455	.....	1,600

YEAR.	PLACE.	VOTING.		MAJORITY.	
		FOR	AGAINST	FOR	AGAINST
1879	King's, P.E.I.	1,076	59	1,017	.....
1879	King's, N.B.	798	245	553	.. ..
1881	King's, N.S.	1,478	108	1,370	.....
1885	Kingston (City), Ont.	785	842	.....	57
1881	Lisgar, Man.	247	120	127	.. .
1879	Lambton, Ont.	2,667	2,352	215	.....
1881	"	2,857	2,962	.....	105
1885	"	4,465	1,546	2,919	.....
1889	"	2,044	3,374	.....	1,330
1884	Leeds & Grenville, Ont.	5,058	4,384	674	.....
1889	"	3,660	4,938	.....	1,278
1885	Lanark, Ont.	2,433	2,027	406	.....
1889	"	1,538	2,309	.....	771
1885	Lennox & Addington, Ont.	2,047	1,011	36	.....
1889	"	1,462	2,066	.....	604
1885	Lincoln, Ont.	2,060	1,490	570	.....
1889	"	1,493	2,090	.....	597
1879	Megantic, Que.	372	844	.....	472
1880	Marquette, Man.	612	195	417	.....
1885	Missisquoi, Que.	1,142	1,167	.....	25
1885	Middlesex, Ont.	5,745	2,370	3,375	.....
1889	"	2,992	5,530	.....	2,538
1880	Northumberland, N.B.	875	673	202	.....
1892	"	1,780	1,561	219	.....
1884	Norfolk, Ont.	2,781	1,694	1,087	.....
1888	"	2,082	2,804	.....	922
1885	Northumb'r'l'd & Durham	6,050	3,863	2,187	.....
1889	"	4,395	4,932	.....	627
1884	Oxford, Ont.	4,073	3,298	775	.....
1889	"	1,538	3,460	.....	1,922
1885	Ontario, Ont.	3,412	2,061	1,351	.....
1889	"	2,866	3,787	.....	921
1878	Prince County, P.E.I.	1,762	271	1,491	.....
1884	"	2,939	1,065	1,874	.....
1882	Pictou, N.S.	1,555	453	1,108	.....
1884	Peel, Ont.	1,805	1,999	.....	194
1884	Prince Edward, Ont.	1,528	1,653	.....	125
1885	Perth, Ont.	3,368	3,536	.....	168
1886	Pontiac, Que.	533	935	.....	402
1885	Peterboro, Ont.	1,915	1,597	318	.....
1889	"	1,564	1,926	.....	362
1885	Prescott and Russell, Ont.	1,535	3,131	.....	1,596
1886	Portland, N.B.	667	520	147	.....
1890	"	124	558	.....	434

YEAR.	PLACE.	VOTING.		MAJORITY.	
		FOR	AGAINST	FOR	AGAINST
1879	Queen's, Ont	315	181	134	.....
1880	Queen's, P.E.I.	1,317	99	1,218	.....
1881	Queen's, N.S.	763	82	681	.....
1884	Renfrew, Ont	1,748	1,018	730	.....
1888	"	1,670	2,580	.....	910
1888	Richmond, Que	1,231	721	510	.....
1881	Sunbury, N.B.	176	41	135	.....
1881	Shelburne, N.S.	807	154	653	.....
1882	St. John (City), N.B.	1,074	1,076	.....	2
1886	"	1,610	1,687	.....	77
1884	Simcoe, Ont.	5,712	4,529	1,183	.....
1888	"	3,894	6,996	.....	3,102
1880	Stanstead, Que.	760	941	.....	181
1884	"	1,300	975	325	.....
1888	"	1,187	1,329	.....	142
1885	St. Thomas, Ont	754	743	11	.....
1889	"	429	1,001	.....	572
1886	St. John (County) N.B.	467	424	43	.....
1892	"	556	715	.....	159
1884	Stormont & Dundas, Ont	4,590	2,884	1,706	.....
1888	"	3,155	5,298	.....	2,143
1885	Victoria, Ont	2,467	1,502	965	.....
1889	"	1,560	2,552	.....	992
1881	Wentworth, Ont	1,611	2,209	.....	598
1879	Westmoreland, N.B.	1,082	299	783	.....
1884	"	1,774	1,701	73	.....
1888	"	2,464	1,698	766	.....
1885	Wellington, Ont.	4,516	3,086	1,430	.....
1889	"	2,084	3,944	.....	1,860
1881	Welland, Ont	1,610	2,378	.....	768
1884	Yarmouth, N.S.	1,287	96	1,191	.....
1878	York, N.S.	1,229	214	1,015	.....
1884	"	1,178	655	523	.....

It will be noticed that two ineffective attempts were made to repeal the law in Charlottetown. A third attempt was successful. Subsequently, in 1894, the Act was restored.

In Colchester, N. S., the Act did not come into operation on account of a technicality and no legal proceedings to enforce it were practicable. The repeal vote was promoted by temperance friends to get the Act out of the way in order that they might proceed against parties selling liquor under the License Act. No licenses have been issued, and the county still has prohibition.

In the second voting in Lambton County, the Act was adopted, but the voting was declared void on account of a technicality.

In the counties of Lisgar and Marquette, in Manitoba, the Act was adopted but declared in-operative, as these districts were not counties in the meaning of the law.

In Richmond, Quebec, the Dunkin Act was in force and the voting taken was on the repealing of that measure, the Scott Act provisions being made applicable thereto.

After the city of Portland adopted the Scott Act, it was united with the city of St. John, in which the License Law was in operation. After the union the Scott Act was repealed in the section that had formerly been Portland.

An examination of the foregoing table will show that the Scott Act has received the attention of the temperance electorate in five provinces. In Manitoba it was adopted in two counties, but because of legal technicalities it did not come into operation in either of them. In Ontario it was adopted by twenty-five counties and two cities, and repealed by all of them. In Quebec it was adopted in a few places, in some of which it still remains. In the provinces of Nova Scotia, New Brunswick and Prince Edward Island it was extensively adopted, and, with some trifling exceptions, which are easily accounted for, is still in operation in every place in which it has been tried.

The Commission spent a great deal of time in inquiring into the working of the Scott Act, the point continually discussed being the extent to which the law was enforced. It may be stated generally, that the enforcement of the law and its consequent usefulness varied in different localities and at different times. Although the evidence in many cases was conflicting, a majority of the witnesses unhesitatingly affirmed the usefulness of the measure and its effectiveness in lessening the evils of intemperance. This is strikingly shown in the replies received from clergymen in response to questions sent them by the Commission. The replies relating to some other phases of the liquor question have already been considered. The following is a summary of the questions and answers relating to the particular matter now under consideration. The total number of replies received was 2,465.

Question.—Has a prohibitory law been at any time in operation in a parish, mission, or other charge in which you have been stationed?

Answers.

Affirmative	1,950
Negative	461
No experience	20
Replies indefinite	12
No reply	22

2,465

Question.—Was such law the Scott Act, the Dunkin Act, or some other local option law?

Answers.

Scott, Dunkin and local option acts	1,621
Local option law	159
North-West Territories Act	63
Other laws	101
No experience	166
No reply	355

2,465

Question.—From your experience and observation as a clergyman, had such prohibitory law the effect of lessening drunkenness?

Answers.

Lessening	1,606
Negative	259
No change	4
No experience	101
Replies indefinite	91
No reply	394

2,465

Question.—From such experience and observation, had such prohibitory law the effect of increasing or lessening the drinking of intoxicating liquors?

(1) In the family? (2) In the community?

Answers.

Lessening	{ 1.	1,434
	{ 2.	1,557
Increasing	{ 1.	128
	{ 2.	137
No change	{ 1.	93
	{ 2.	65
No experience	{ 1.	106
	{ 2.	98
Replies indefinite	{ 1.	242
	{ 2.	166
No reply	{ 1.	462
	{ 2.	442

The foregoing summary is conclusive proof that the Scott Act and similar laws have, on the whole, commended themselves to the favor of a majority of observers interested in the promotion of temperance. There is no classification of the replies according to the provinces from which they were sent. The subjoined information is, however, arranged under heads corresponding to the provinces to which the facts set out respectively refer.

ONTARIO.

Shortly after the Scott Act was enacted by the Dominion Parliament an attempt was made to secure its adoption in a number of Ontario counties. The result was not encouraging. In nearly every case the measure was defeated at the polls.

A later campaign was more successful. The first place to adopt was the county of Halton, in which the law came into operation on May 1st, 1882. Later on it was carried in other counties, in five of which it came into operation on May 1st, 1885, and in nineteen others on May 1st, 1886. It was voted out of all of them in 1888 and 1889.

It will thus be seen that the law was repealed in the counties of this province after a very brief experience of its operation. In every case substantial votes were polled for retaining it. The facts that led to its repeal as collected from the evidence of many witnesses may be set out thus:—

1. The Scott Act was not what the people wanted. They had petitioned Parliament for total prohibition. They were given a law, local, and therefore manifestly difficult of working. The measure was a compromise, and as such did not enlist the enthusiasm that would have hailed the measure which the people desired.

2. For some time after the Act came into operation its enforcement was badly hampered by a conflict between provincial and Dominion authorities as to the duty of enforcement, and as to the right to issue licenses for permitted sale. In some counties two sets of vendors' licenses were in operation.

3. Several Orders-in-Council of the Dominion Government hampered enforcement. One of these was a special hindrance. Under the license system, provincial officials collected fines for violation of liquor laws and used them for enforcement purposes. The Dominion Order in Council required the payment of these

finances to county councils from which in many cases provincial officials had great trouble in securing the payment of their expenses.

4. The administration of the law was in the hands of the special officers who had been charged with the administration of the License Act, many of whom were openly avowedly hostile to prohibition.

5. Delay was experienced at first in acquiring familiarity with details of procedure, legal technicalities and methods of evasion, so that for a time it was difficult to secure convictions, resistance to the law being easier and more general than was the case later on.

6. These impediments retarded enforcement. People who had expected the Act to suddenly reform society were disappointed, the benefits not being what they had in many cases anticipated, exaggerated ideas of what the Act was going to accomplish thus leading to discouragement of those who had worked for it.

7. The enforcement of the law necessitated the giving of evidence by witnesses against their neighbors, thus leading to much bitterness and hard feeling in districts where the law was broken and its violators prosecuted.

8. In many cases the men who had been engaged in the liquor business made special efforts to inconvenience the community. Hotel-keepers locked up their houses, refusing to accommodate the travelling public, hoping thus to compel repeal of the law.

9. In not a few cases law violators resorted to incendiarism, assault and other outrages against friends of the Act, intimidation and terrorism, not at all chargeable to the law, thus leading communities to view it with aversion.

10. All these facts and conditions operated to make enforcement of the law more difficult, thus making the law less effective, and increasing disappointment in its results.

11. Voting on the question of repeal was brought on prematurely in many cases, before the law had the three years' experiment that was anticipated. Had this voting been delayed till the difficulties already mentioned were fairly surmounted, the result would probably have been different.

12. Politicians made use of the difficulties above set out for party purposes, charging the evil results to the action of their opponents, and thus enlisting partisanship in hostility to the measure.

In relation to the matter of intimidation mentioned above, the following is taken from the evidence given at Toronto by the Secretary of the Dominion Alliance:—

Ques. We have heard sometimes of some cases of terrorism. Do you know anything of them?—*Ans.* Terrorism was flagrant. I might give you a score of such cases, but I take up two or three

papers. Here is one paper, the "Canada Citizen," of January 20th, 1888. It contains a statement of eleven buildings burned in one part of the province, in the vicinity of Irish Creek and Easton's Corners, for which two men, Lee and McDonald, were sent to the penitentiary. Dangerous missiles were hurled at Constables Nettleton in Warren's Hotel, Kemptville, while serving a summons. Constables Nettleton, Bennett, Brown and Smith were savagely assaulted at the Burrill House, Kemptville, by an immense mob. Five of the ruffians were arrested and fined. Main's tannery at Kemptville was partly destroyed by fire. The Methodist church at Kemptville was fired in the same way. Dr. Ferguson, M. P., and three other respectable citizens of Kemptville, receiving letters warning them against having anything to do with temperance work, and so on. Several places were dynamited. All through the province these men were carrying on a vindictive warfare which sometimes made the temperance people afraid. I think the terrorism sometimes operated very effectively through secondhand channels. What I mean is this. A man who might himself have little regard for such things might be influenced by his family, who became alarmed at the threats made to him. In some cases the persecution by the liquor sellers took this form: when information would be laid against them, they would summon as witnesses a great many people who had no relationship to the case at all. For example, I remember in the town of Beaverton they summoned nearly a score of the W. C. T. U. workers of the town, and a great procession of ladies were marched into the court. I could mention some things, absolutely too indecent to be mentioned in public, that were perpetrated by the liquor men in their efforts to annoy the temperance workers. This thing was going on all over the country, and it had some effect.

The same witness produced a number of clippings from newspapers, giving details of other cases of outrages committed against friends of the Scott Act, and wished to make a summary of their contents. The majority of the commissioners refused to allow this, stating that it was unnecessary, but suggesting that the documents be filed with the Commission for their information, and for further reference if deemed desirable. The papers were handed in, but no further reference was made to them in the majority report or appendices.

It would be easy to fill a volume larger than the present with quotations and statements showing that, notwithstanding the difficulties mentioned, the Scott Act did good in many places. Had repeal voting been delayed for some years, many of the difficulties that have already been mentioned would have been overcome. Improvement was

going on. Inefficient officers were being replaced by better men. Experience in dealing with difficulties was being acquired. A longer term of prohibition would have worn out the patience of many law violaters. Evidence that enforcement was becoming more effective is to be found in the following table of informations laid, and convictions secured, for violation of the Scott Act in Ontario, for periods of three months each, beginning May 1st, 1886, when the Scott Act was in force to the fullest extent in the Province of Ontario, and running to May 1st, 1888:—

	Informations.	Convictions.
First quarter	463	267
Second "	562	272
Third "	373	248
Fourth "	810	605
Fifth "	918	692
Sixth "	1,475	949
Seventh "	1,370	822
Eighth "	1,190	568

Before the end of the eighth quarter voting had taken place, repealing the Act, in quite a number of counties, and while the Act was still nominally in operation, enforcement of the law, which was shortly to end, was very much slackened.

Witnesses also testified to the fact that not only was there a falling off in drunkenness during the Scott Act period, but that the repeal of the Scott Act was followed by a large increase in drunkenness. Statistics make this very clear. The witness referred to above, submitted to the commissioners at Toronto, twenty-five letters which had been received from representative men in different parts of the Province, who had written them in the latter part of 1889, stating what they had seen as the result of Scott Act repeal. These letters would have shown forcibly the results of the return to the license system. The commissioners refused to allow the letters to be quoted, but asked to have them placed in their hands for examination. This was done, but no use was made of them by the Commission, and the report did not contain the important facts which these letters set out.

One of the most important pieces of evidence in reference to the result of Scott Act operation is to be found in the Ontario criminal records for the years preceding, during and following the time when the Scott Act was in operation. In considering these figures, it must be remembered that a measure like the Scott Act, under which liquor could frequently be procured by persons strongly desiring it, would not interfere with bad cases of inebriety, so much as it would with the drinking habits of the other sections of the community. Men afflicted with an overpowering craving for drink would run risks and adopt expedients to obtain liquor, while persons not so afflicted would simply accept the situation. There was doubtless therefore a much greater reduction in the drinking practices of the community under the Scott Act, than there would be in the record of criminal drunkenness. The minority report contains the following :—

There was also presented at Toronto an important statement embodying a careful analysis of the official provincial figures for commitments for drunkenness during the years of the Canada Temperance Act's operation and the years preceding and following that operation, but a majority of the Commission decided not to put it in their report. Because of the importance of this statement it is herewith submitted :

"There are various data from which conclusions may be drawn ; there are the local police records of arrests for drunkenness in different places ; there are the court returns of convictions for drunkenness which are gathered up from the different counties in the criminal statistics published at Ottawa ; there are the returns made to the Ontario Government by the jailers in the different counties of commitments for drunkenness. All of these sources of information should be carefully examined, although there is little doubt that all, dealing with the same evil, must show similar results. In the present paper an inquiry is made based upon the last named report, which is, as far as it goes, the most available and complete of all the three.

"The report, for the year 1892, of the hon. the Provincial Treasurer of Ontario, on the working of the tavern and shop license Acts, contains on page 90 a statement showing the number of persons committed to jail for drunkenness during the years from 1876 to 1891 inclusive. These figures cover all the time during which the Scott Act was in operation in any part of the province of Ontario.

"The license year for the province of Ontario ends on the 30th of April, and the Scott Act, when it came into force in a county of this province, came into force on the first day of May.

The judicial year, for which the figures are given in the table referred to, ends with the 30th day of September. There is therefore a little difficulty in making comparisons between Scott Act years and license years, inasmuch as the figures for the year in which the Scott Act began to operate, and the year in which it ceased to operate, are figures covering a period during which the law was part of the time a license law and part of the time prohibition.

“Another difficulty met with in the making of comparisons is the fact that the Scott Act affects a municipal county or city, while the figures of commitments for drunkenness are for judicial counties, which are not in all cases coterminous with municipal counties.

“Where a municipal county includes a city, the city and county are united for judicial purposes, and the figures for commitments cover both. There were five counties, namely : Brant, Carleton, Frontenac, Lincoln, and Middlesex, in which the Scott Act was carried ; but each of these counties included a city in which the license law remained in operation. The figures for these judicial counties are, therefore, for territory partly under license and partly under Scott Act.

“The judicial counties of Simcoe, Victoria and Haliburton and Renfrew, and the judicial district of Muskoka and Parry Sound, include portions of territory that did not come under the Scott Act, although parts of the three counties and the district named was under that Act. The figures of these three counties and that district are also, in each case, figures for territory that was partly under license and partly under Scott Act.

“The Scott Act was carried, altogether, in twenty-five municipal counties and two cities. It affected, however, twenty-six of the judicial districts set out in the above mentioned table. The judicial districts of Brant, Carleton, Frontenac, Lincoln, Middlesex, Muskoka and Parry Sound, Renfrew, Simcoe and Victoria and Haliburton, were, as has been said, partly under license and partly under Scott Act. The judicial counties of Bruce, Dufferin, Elgin, Halton, Huron, Kent, Lambton, Lanark, Leeds and Grenville, Lennox and Addington, Norfolk, Northumberland and Durham, Ontario, Oxford, Peterboro', Stormont, Dundas and Glengarry, and Wellington, came entirely under Scott Act in every part of their respective jurisdictions. The remaining sixteen judicial counties remained throughout under license.

“The county of Halton changed from license to Scott Act in the judicial year 1882 and changed back to license in the year 1888. The Scott Act did not come into force in any other county for three years after the commencement of its operation in Halton. Halton, therefore, has to be considered to a certain extent by itself.

"If we omit the years of change, 1882 and 1888, we find from the official table referred to the following facts: For the six years from 1876 to 1881, inclusive, the county of Halton had 54 commitments for drunkenness, an average of 9 per year. For the five following years of Scott Act, from 1883 to 1887, inclusive, the county of Halton had 40 commitments for drunkenness, an average of 8 per year. For the three years 1889 to 1891 inclusive, subsequent to the repeal of the Scott Act, the county of Halton had 31 commitments for drunkenness, an average of 10·3 per year.

"Of the other twenty-five judicial counties, Bruce, Dufferin, Huron, Norfolk, Oxford, Renfrew, Stormont, etc., changed from license to Scott Act in 1885. All of these, excepting Oxford, changed back to license in 1888. Oxford changed in 1889. Because of the overlapping of judicial and municipal counties, already mentioned, it happened that the judicial counties of Simcoe, Victoria, and the judicial districts of Muskoka and Parry Sound, came partly under the Scott Act in 1885, still more under that Act in 1886, changed in part back to license in 1888, and came entirely under license in 1889. The remaining fifteen judicial counties, Brant, Carleton, Elgin, Frontenac, Kent, Lambton, Lanark, Leeds, etc., Lennox, etc., Lincoln, Northumberland etc., Middlesex, Ontario, Peterboro', and Wellington, changed from license to Scott Act in 1886, and back to license in 1889.

"It will thus be seen that there was only one year, 1887, in which all the judicial districts affected were under the Scott Act to a maximum extent. It is also clear that the transition years 1885-6 and 1888-9 would not give data of value in making a comparison between the results of Scott Act and license respectively, and to get at any just conclusion as to the effect of the Scott Act upon the number of commitments, we must compare the year 1887, when the Scott Act was in force to the fullest extent, with the years previous to its coming into operation and the years subsequent to its repeal. We take the two years just before and the two years just after the change as the nearest and fairest for comparison.

The facts in regard to the county of Halton have already been set out. Taking all the other judicial counties and districts of the province of Ontario for the years named and arranging them in three groups, (1) those coming entirely under Scott Act; (2) those coming partially under Scott Act; (3) those remaining entirely under license, we get the following tables showing the commitments for drunkenness in the respective groups.

TABLE I.—Counties changing entirely from License to Scott Act.

COUNTY	LICENSE		SCOTT ACT	LICENSE	
	1883	1884	1887	1890	1891
Bruce	10	3	6	6	7
Dufferin .....	.....	1	3	2	1
Elgin	92	82	25	20	32
Huron	5	4	.....	5	5
Kent	23	26	7	71	47
Lambton	75	105	38	108	95
Lanark	9	7	9	5	5
Leeds and Grenville	19	135	24	58	44
Lennox and Addington	18	20	8	22	23
Norfolk	18	17	5	3	10
Northumberland and Durham ..	21	26	6	38	22
Ontario	10	1	.....	2	.....
Oxford	28	51	*50	51	34
Peterboro'	71	30	11	45	24
Stormont, Dundas & Glengarry	8	9	4	25	14
Wellington	93	49	22	10	4
	500	566	218	471	367

* The returns do not give the figures for 1887, but the jailer states that there were fifty commitments.

TABLE II.—Judicial Counties changed in part from License to Scott Act.

COUNTY	LICENSE		SCOTT ACT	LICENSE	
	1883	1884	1887	1890	1891
Brant	75	58	112	182	112
Carleton	261	314	286	336	204
Frontenac	46	75	108	129	125
Lincoln	65	39	21	24	12
Middlesex	269	445	404	332	213
Muskoka and Parry Sound	8	16	8	28	19
Renfrew	17	27	2	1	.....
Simcoe	87	99	16	34	34
Victoria and Haliburton	7	20	2	7	1
	835	1,093	959	1,073	720

TABLE III.—Judicial Counties remaining under License without any change.

COUNTY	1883	1884	1887	1890	1891
Algoma.....	21	15	85	69	77
Essex.....	121	103	45	35	57
Grey.....	19	28	21	17	13
Haldimand.....	7	7	17	15	22
Hastings.....	57	50	51	49	34
Nipissing.....	10	17	13	97	96
Peel.....	4	10	8	30	17
Perth.....	37	14	12	14	4
Prescott and Russell.....	2				5
Prince Edward.....	70	46	20	33	19
Thunder Bay.....	296	705	148	125	120
Waterloo.....	14	11	8	17	13
Welland.....	34	23	32	16	7
Wentworth.....	376	295	373	418	251
York.....	1,485	1,661	2,166	2,085	1,783
	2,553	2,985	2,999	3,020	2,518

"Table I. is, of course, that which makes clear the result of the Scott Act on the commitments for drunkenness. It is instructive. A careful examination of it will show that with one exception every county in which commitments for drunkenness were common was greatly benefited. In the exceptional county, Oxford, the enforcement of the law in the town of Woodstock was very lax. Every other county that had over ten commitments for drunkenness in either 1883 or 1884, shows a startling reduction of such commitments under the Scott Act. It would be unfair to generalize from any isolated case, but the conclusion from the whole of the counties is irresistible.

"The total figures of all the counties named for the different years should be carefully noted. Then it must be borne in mind that the Scott Act was new. Its maximum benefit could not be attained until it was long enough in operation to give those charged with its administration the knowledge and success in its enforcement that could only come from study and experience.

"Table I. includes all the counties that came entirely under the Scott Act. Excepting Oxford, they had all exactly two full years of Scott Act experience, and 1887 was one of the Scott Act years in every case. If they are separated into two sets, according to the different times of the coming into force of the law, we can compare two Scott Act years for each set with the preceding and subsequent license years. We then get the following:—

TABLE IV.—Counties entirely under Scott Act in 1886-87.

COUNTY	LICENSE		SCOTT ACT		LICENSE	
	1883	1884	1886	1887	1889	1890
Bruce	10	3	2	6	8	6
Dufferin .....	.....	1	3	3	4	2
Huron	5	4	4	.....	2	5
Norfolk	18	17	6	5	17	3
Stormont, etc	8	9	1	4	29	25
	41	34	16	18	60	41

TABLE V.—Counties entirely under Scott Act in 1887-88.

COUNTY	LICENSE		SCOTT ACT		LICENSE	
	1884	1885	1887	1888	1890	1891
Elgin	82	57	25	29	20	32
Kent	26	18	7	9	71	47
Lambton	105	130	38	64	108	95
Lanark	7	6	9	4	5	5
Leeds, etc... ..	135	80	24	31	58	44
Lennox	20	6	8	7	22	23
Northumberland	26	26	6	12	38	22
Ontario	1	4	.....	.....	2	.....
Peterboro'	30	27	11	26	45	24
Wellington	49	32	22	21	10	4
	481	386	150	203	379	296

“ These tables are convincing. It would be impossible to make any fair arrangement of the figures they contain without having evidenced the same fact, that the Scott Act, despite its defects and the difficulties that surrounded its operation, was effective in lessening criminal drunkenness.”

QUEBEC.

The evidence taken by the Commission, in reference to the working of the Scott Act in the Province of Quebec, related mainly to the counties of Brome and Richmond. In the latter the Dunkin Act had been adopted before the Scott Act was enacted by the Dominion Parliament. The proceedings for the enforcement of the Act, however, and in relation to attempts to repeal it, were taken under the provisions of the Scott Act; so that it is practically an example of the working of that law.

Mr. William Evans Jones, of the town of Richmond, in the county of Richmond, gave evidence on September 21st, 1892. He had been a Justice of the Peace for the province for thirty-two years. The Dunkin Act was adopted by the county in 1877. In 1882 the town of Richmond was incorporated, the object being to take it out of the prohibition in force in the county. A legal contest took place as to whether or not the prohibitory by-law was still in force in the town. The provincial authorities issued licenses and for a number of years the struggle went on. It finally resulted in the establishing of the contention that the law still governed the whole county. The liquor party then secured a vote on the question of repeal. This was in 1888. The vote stood: for prohibition, 1231, again 721. Immediately the enforcement of the law was taken hold of vigorously. Mr. Jones' evidence described the result as follows:—

Ques. You know about them: will you make a statement in regard to them?—*Ans.* I will confine myself to what we call police offences, that is, cases I can adjudicate upon finally, not those that have to go to the Queen's Bench for trial. These comprise drunk and disorderly cases sent to the lock-up, drunken persons for furious driving, and that is a very common offence; indecency while in a case of intoxication, a few cases of neglect to provide for family resulting entirely from the dissipated habits of the father, common assaults not accompanied with bloodshed (in all cases from drunkenness) and the use of abusive language to men and women, all these are directly traceable to drink. Of that class of offences the average number adjudicated by me for 6 years previous to 1885, that would be from the time we originally commenced the prosecutions under the Dunkin Act in 1879, was 30½ per annum. I take May as the commencement of the license year: from May, 1885, to May, 1886, 37 cases; from May,

1886, to May, 1887, 39 cases. During all this time the Act was nominally in force.

Ques. But it was a dead letter?—*Ans.* Partly. From May, 1887, to May, 1888, and the broken period up to November, the offences were 86. The Act became effective in November, 1888, and from 20th November, 1888, to May, 1890 (I am taking in one year and a half), I had 17 cases. From May, 1890, to May, 1892 (I do not know why my clerk made it two years, but he has for some reason) I had 13 cases. Since May, 1892, I have had none at all.

Ques. What is the population?—*Ans.* The population of the town is 2,500, but I adjudicate for the county. My practical jurisdiction would extend over 7,000 people.

Another witness examined at the same time was Mr. John Ewing, of Melbourne, Registrar of the county of Richmond. Part of his evidence is as follows :—

Ques. Do you concur in the testimony given by Mr. Jones?—

Ans. Yes, as far as I have knowledge. I would like to add one thing. He referred to me as secretary treasurer of the agricultural society of the county. I have been that for the last two years. We had two exhibitions, and besides being treasurer of the society, I was manager of the exhibition. At the last exhibition, and at the exhibition before, we had about 4,000 people present, and we had not a case of intoxication, not an arrest; and it was a matter of contrast between that condition and the state of things we had some years ago.

Ques. What was the condition of things at such public exhibitions as you speak of in the years before the Dunkin Act was enforced?—*Ans.* We were in the habit of having drunken men on the exhibition grounds, and general disorder in the town on the night of the exhibition.

Ques. Sometimes it is said that hotels cannot be very well carried on unless there is permission to sell liquors. Has Richmond town or county suffered in its hotel accommodation by reason of the enforcement of the Dunkin Act?—*Ans.* We had seven places licensed, and we had nominally seven hotels, besides the Grand Trunk restaurant. Four of these are now converted into private residences; three of these are doing the business with the same accommodation, minus the bar.

Ques. And making it profitable?—*Ans.* Yes.

Ques. Do you find the patrons of the hotels complain of the lack of the accommodation they had before?—*Ans.* No, there is plenty of accommodation.

Ques. Where is Danville?—*Ans.* Twelve miles from Richmond.

Ques. Is it a town?—*Ans.* Yes; the registry office is in the town of Richmond.

Ques. What is the condition of Danville?—*Ans.* Danville some years ago took the lead in the prohibition movement in the

county, and I was informed the day before yesterday that whereas some seven or eight people under the Dunkin Act were selling liquor, and from fifty to sixty hogshead of liquor a year were sold in Danville, they do not believe a barrel is brought in now, because there is practically none sold except through the drug store.

In reference to the county of Brome, Mr. Moses B. Jewell, of Farnham, in that county, trader and manufacturer, was examined very fully. From the report of his evidence we take the following extracts :—

Ques.—Do you believe there is any liquor sold in your own municipality? *Ans.*—I do not think so now. There have been times when there were some few places disposed to keep it and sell it a little clandestinely. There were efforts made to stamp those places out.

Ques.—What is your experience as a whole? Do you believe there are any parts of the county in which liquor is sold? *Ans.*—I have not much doubt but that a little is sold in most of the hotels. At least that is the reported state of things.

Ques.—What has been your experience of the working of a prohibitory law, as to whether it has been effectual or not? *Ans.*—To a large extent. I am satisfied there cannot be any question as to its greatly decreasing the sale of liquor?

Ques.—For what reasons? *Ans.*—Liquor cannot be sold openly, and you see nothing of liquor. I judge from that fact and the absence of drunkenness.

Ques.—Is there less drunkenness now than there was during your earlier recollection? *Ans.*—Yes.

Ques.—Have you jailed many under the Scott Act? *Ans.*—One or two only. There are a great many difficulties about the enforcement of the Scott Act, but I do not consider they are serious ones. I think the law is about as good as a local option law can be. If the temperance people would take as much interest in it as they should do, and not leave all the work to one or two people, it would be far better enforced.

NEW BRUNSWICK.

In the maritime provinces there is a community strongly in favor of prohibition. The Scott Act was there taken hold of immediately upon its enactment by the Dominion Parliament, and was adopted by substantial majorities in the greater part of all the provinces.

New Brunswick has not quite so large a proportion of prohibition territory as have Nova Scotia and Prince Edward Island. There were at the time of the commis-

sioners' visit fifteen counties and three cities in the province. Nine of the counties and two of the cities were under the Scott Act. The Commission took evidence in the cities of St. John, Fredericton and Moncton, and in the town of St. Stephen. The Scott Act was in operation in all these places excepting St. John.

The opinion of the people of New Brunswick may be fairly inferred from the voting upon the Scott Act. For this purpose we take the latest figures from those counties in which the law is in force, in some of them several efforts having been made to repeal the Act. The figures show the number of votes polled for and against the Scott Act:—

Year.	Place.	For.	Against.
1879	Albert.....	718	114
1879	Carleton	1,215	69
1891	Charlotte.....	1,785	855
1888	Fredericton.....	370	302
1879	Kings	798	245
1892	Northumberland ...	1,780	1,561
1879	Queens	315	181
1881	Sunbury	176	41
1888	Westmoreland	2,464	1,698
1884	York	1,178	655
Total.....		10,799	5,721

The opinions of the witnesses examined in Fredericton, Moncton and St. Stephen, where the Scott Act was in operation, were conflicting. Quotations could readily be made from a majority of them to show that the Scott Act had done good. Evidence of others might be selected showing a different opinion. The views presented may be briefly summarized.

In Fredericton thirty-eight witnesses were examined. Four of these were clergymen, thirteen were public officials, Dominion, provincial and municipal. Twenty-three expressed the opinion that the Scott Act had been beneficial, eleven did not think it had done any good. The opinions of all on this point were not asked.

Fifteen witnesses were examined in Moncton. Four of these were clergymen, and six were officials. Of those

questioned directly about the effect of the Scott Act, eight believed that it had done good and two believed that it had done harm.

In the town of St. Stephen fifteen witnesses were examined, eight of whom were officials. Of those asked directly, eight believed that the Scott Act had done good, and one that drinking had increased under it.

One of the most forcible pieces of evidence relating to New Brunswick is furnished in a document prepared by Mr. George Johnson, Dominion statistician, in response to a letter from the chairman of the Commission, addressed to the Hon. the Finance Minister, asking for statistics relating to convictions for crime in those parts of the Dominion in which prohibitory laws were in operation, and for similar information relating to places not under the operation of such laws.

Mr. Johnson prepared a report in which he attempts to show that, taking the Dominion as a whole, crime was no less when the Scott Act covered the greatest amounts of territory than when it covered less. He obtains this result by a calculation which is not accurate. There is, however, more value in the part of his report in which he compares the criminal records of Scott Act and license districts, as follows:—

The crime returns for the province of Ontario are made to the statistics branch at Ottawa in accordance with divisions of the country provided by the Provincial Government. The population in 1891 is given according to divisions provided by the Federal authorities. As these two sets of divisions do not coincide it becomes difficult to designate the Scott Act counties so that comparisons may be made as to the growth of population and other points.

There is, however, in the province of New Brunswick a group of nine counties whose territorial division have remained the same. These nine counties have been under the Scott Act for more than ten years. They are all connected geographically. They contain 61 per cent. of the whole population of the province. They have within their borders several flourishing cities and towns, as Fredericton, Marysville, Woodstock, St. Stephen, Milltown, Chatham, Moncton. They seem in every respect a group fairly representative of the whole country, in industries, in religious beliefs, in racial and in general conditions.

In respect to crimes the statistics show that in the ten years 1882-91 (both years included) there were 22,841 convictions in the

province of New Brunswick. In the whole Dominion there were 348,460 convictions, making the mean of population 4,578,810. We have the average of 7,800 convictions per annum for every million of the inhabitants of Canada. In the province of New Brunswick the average is at the rate of 7,112 per million. So that the average during the ten years was about 9 per cent. less than the general average of the Dominion.

We have seen that there were 22,841 convictions in the province during ten years. Divided according to Scott Act counties and non-Scott Act counties, there were 8,738 in the nine Scott Act counties and 14,102 in the other counties, or 38.4 per cent. in the nine counties and 61.6 per cent. in the non-Scott Act counties, judged by the criminal statistics. That is to say 61 per cent. of the population had 38½ per cent. of the criminal convictions and 39 per cent. of the population had 61½ per cent. of the crime as indicated by the convictions.

These facts are very forcible. Mr. Johnson might have followed the comparison further. Of the 22,841 convictions, 13,598 were for the offence of drunkenness. Of these 4,986 were in the Scott Act counties, and 8,612 in the counties in which license was in operation. That is to say, sixty-one per cent. of the population (under Scott Act) had thirty-six and one-half per cent. of the convictions for drunkenness, and thirty-nine per cent. of the population (under license) had sixty-three and one-half per cent. of the convictions for drunkenness.

Although Mr. Johnson was asked only to report upon the question of crime, he has gone further, and prepared a table showing the changes in the amount of capital invested, persons employed, wages paid, and products, in the manufacturing industries of these separate groups of counties for the years 1881 and 1891, thus setting out the progress of manufacturing development in these groups of counties respectively. His interesting table may be summarized as follows:—

	Scott Act counties.		License counties.	
	1881.	1891.	1881.	1891.
Capital.	\$3,865,531	\$ 8,608,648	\$4,559,751	\$ 8,000,107
Employees ..	9,820	13,399	10,102	13,270
Wages.	1,935,483	2,972,971	1,930,528	2,963,050
Products	9,104,223	11,431,457	9,407,835	12,254,179

From this table it is manifest that the Scott Act counties had a larger increase, and a larger percentage of increase in capital invested, in number of persons employed, in

amount of wages paid and in value of products, than had the counties under license.

Mr. Johnson, however, by a curious little trick, utterly misrepresents this fact. He takes the increases in capital invested, the number of employees, etc., in these respective groups of counties and compares them, not with the original amounts and numbers, but with the population of the respective groups of counties, thus showing that proportionately to 1,000 of the population there was a smaller increase of manufacturing in Scott Act counties than in license counties. This is natural enough, the Scott Act counties being largely agricultural, the license territory including the large city of St. John. He leaves out of consideration any calculation as to the increase or decrease of number of employees in agriculture, or amounts invested in agriculture, and presents his figures so as to make it appear that the Scott Act has worked injury to manufacturing interests; this he does by perverting tables which, if fairly considered, show the reverse of what he attempts to prove.

He also presents tables indicating that under the Scott Act the difference between the birth rate and death rate of the population was less than in license counties, and winds up his uncalled for and unfair manipulation of statistics with the following statement :—

It would seem that the result of the investigation is to show that in a general way the Canada Temperance Act has not reduced crime, but that where it has been under the most favourable conditions imaginable these criminal convictions have materially decreased.

That in other respects, for instance, industrial prosperity, population, character of population as to age periods, etc., the New Brunswick illustration fails to prove that the Canada Temperance Act carries in its train other material blessings.

It is not likely that the Scott Act at all affected the manufacturing interests of New Brunswick, but the reasonable inference from Mr. Johnson's figures in regard to its effect upon drunkenness and other crime is exceedingly valuable, the more so as it is evidence given by one who manifestly prefers to make statements and draw conclusions not favorable to the law.

NOVA SCOTIA.

There are eighteen counties in the province of Nova Scotia. The Scott Act is in force in twelve of them. The Nova Scotia license law, as already stated, does not permit the issue of licenses except in localities where public sentiment so desires. In four of the six counties not under Scott Act, no licenses are issued. Sixteen of the eighteen counties are therefore under prohibition.

Evidence was taken by the commissioners in Halifax, where the license law is in force, in Truro where the Scott Act is not now in force, but where no licenses are issued, and in the Scott Act towns of Yarmouth and North Sydney.

At the time of the commissioners' visit the Scott Act was badly enforced in North Sydney, which is in the county of Cape Breton. The evidence taken showed that in other places a better condition of affairs prevailed. Generally speaking, it seems that the Scott Act is well observed in rural localities, and, though still productive of good results, is more frequently violated in populous places. Sixteen witnesses were heard in North Sydney. Four of these were officials. Of those questioned directly as to the Scott Act, eight believed that it was effective in limiting the liquor traffic and five held a different opinion. It is worthy of note that witnesses who considered the law a failure in North Sydney, testified to its good effects in other places.

In the town of Yarmouth in the county of Yarmouth, thirty-five witnesses were examined. Four were clergymen, six medical men, eleven officials and fourteen others. Of twenty-six who were asked directly as to the results of the Scott Act, twenty-four declared that good had been done by it. Two did not believe that the Scott Act had reduced drunkenness. It is also worthy of note that all the witnesses in Yarmouth who were directly asked their opinion on total prohibition expressed themselves favorable to it.

It would be easy to quote freely from the evidence of these witnesses to show their cordial approval of the Scott Act.

PRINCE EDWARD ISLAND.

The province of Prince Edward Island contains three counties, Kings, Queens and Prince, and one city, Charlottetown. The Scott Act was passed by the Dominion Parliament in 1878 and by September of the following year it had been voted upon and adopted in every part of this province. In 1891 a repeal movement was successful in Charlottetown. No license law, however, took its place, the sale of liquor for a time being entirely free. Later on a police regulation was passed imposing certain restrictions upon those selling liquor, but not legally authorizing any license to sell. The Scott Act was re-enacted in the city in 1894. The latest votes upon the Scott Act in Prince Edward Island are as follows:—

	For.	Against.
Prince	2,939	1,065
Kings	1,076	59
Queens	1,317	99
Charlottetown	734	712
Total.....	7,066	1,935

At the time the Commission visited the Island the police regulation above mentioned was in operation. Evidence was taken in Charlottetown and Summerside. As in other provinces the commissioners did not visit any of the rural places where the Act was affirmed to be most effectively enforced.

The evidence was conflicting, but a majority of the witnesses examined unhesitatingly testified to the effectiveness of the measure.

In the city of Charlottetown thirty-two witnesses were called. Thirty expressed a definite opinion upon the Scott Act. Seventeen of these considered it had done good, thirteen held a different opinion. A number of those who did not approve of the Act were engaged in the liquor business. In the town of Summerside eleven witnesses were called. Ten of these gave evidence directly on the results of the Scott Act, nine of them testifying that it had produced good results.

In the city of Charlottetown some of the witnesses who are counted as not agreeing that the Act had produced good results in the city, declared notwithstanding that it had been beneficial in rural districts.

The results of the change back to the Scott Act in 1894 subsequent to the visit of the commissioners, are thus referred to in the minority report.

When the Canada Temperance Act had been in operation in the city of Charlottetown for six months after its re-enactment, in 1894, the record of convictions for drunkenness made during that time compared with the record for the corresponding six months of the previous year, when liquor selling was permitted, was as follows :—

	1893.	1894.
August	20	6
September.....	43	16
October.....	18	11
November.....	22	10
December.....	11	8
January .....(1894)	5	(1895) 4
Total	119	55

The majority report of the Commission contains no endorsement of the Scott Act, and does not refer to the important facts that a majority of the witnesses examined declared in its favor, that statistics so far as ascertainable, showed its value, and that the votes of the people who had longest experience of it showed their faith in it. The majority report is remarkable for its lack of conclusions in reference to the operation of the Scott Act in different provinces, with the exception of the following statement concerning Prince Edward Island.

After what has been stated, it is almost unnecessary to point out that drunkenness has not been extinguished in Prince Edward Island ; that, taking the lowest estimate of the consumption of liquor, it far exceeds what could properly be required for medicinal, mechanical and sacramental purposes ; that brewing has been carried on, and a large quantity of liquor made and sold during the time that the Scott Act was in force, and that there has been no pretence that liquor was being shipped to places where the Act was not in force, either within the boundaries of the Island or elsewhere ; that the licensed vendors, at any rate in one case, have flagrantly and openly violated the law, and have not made the returns of their sales, as prescribed by the law ; and that the effect of the law has not been calculated to elevate the public mind and increase respect for law and authority generally.

The summing up of results by Rev. Dr. McLeod in the minority report, must be taken in view of the facts laid before the Commission as a fair and impartial statement of the reasonable deduction to be made from the said facts:—

That there have been violations of the Canada Temperance Act in all the places where it has been adopted, and in some places, at certain times, many and even flagrant violations, there is no doubt. That the law, at best, is imperfect, its warmest friends admit. But it is considered preferable to any license system, affording a degree of relief from the evils which attend the legalized drink traffic, which commends it to the majority of people who have had long experience of its working and effects.

CHAPTER VI.

OTHER EXAMPLES OF LOCAL OPTION.

ONTARIO.

Some investigation was made, in the Province of Ontario, into the working of the Provincial Local Option Law. Before confederation, municipalities in Ontario, which were then a part of the old Province of Canada, had authority to prohibit the retail sale of liquor within their respective limits.

After the enactment of the Scott Act by the Dominion Parliament, the old provincial law fell into disuse and was dropped from the statute books. After the repeal of the Scott Act in Ontario, temperance workers applied to the Legislature for the re-enactment of the old provincial Local Option Law. It was thought by some that it could be made more effective than the Scott Act. It was also a measure available for smaller areas. The law relating to this matter is in the following terms :—

The council of every township, city, town and incorporated village may pass by-laws for prohibiting the sale by retail of spirituous, fermented or other manufactured liquors, in any tavern, inn or any other house or place of public entertainment : and for prohibiting altogether the sale thereof in shops and places other than houses of public entertainment : Provided that the by-law before the final passing thereof, has been duly approved of by the electors of the municipality in the manner provided by the sections in that behalf of the Municipal Act.

No by-law passed under the provisions of this section shall be repealed by the council passing the same, until after the expiration of three years from the day of its coming into force, nor until a by-law for that purpose shall have been submitted to the elec-

tors and approved by them in the same manner as the original by-law, and if any such repealing by-law (upon being submitted to the electors) is not so approved, no other repealing by-law shall be submitted for the like approval within the full term of three years thereafter.

The sale or keeping for sale of liquors without license in any city, town, incorporated village or township in which there is in force any by-law for prohibiting the sale of liquors passed in pursuance of section 18 of the Act passed in the 53rd year of Her Majesty's reign, entitled "An Act to improve the Liquor License Laws," shall nevertheless be a contravention of sections 49 and 50 of this Act; and all the provisions respecting the sale or keeping for sale of liquor in contravention of said sections, and penalties and procedure in reference thereto, shall be of full force and effect in such municipality, notwithstanding such prohibitory by-law.

It will thus be seen that where local option by-laws are enacted such by-laws are simply effective in preventing the issue of licenses. The provisions of the license law other than thus authorizing the issue of license, are practically still in force and any retail liquor selling is dealt with by the provisions of the license law relating to sale on un-licensed premises.

The enactment of this measure was hailed with a good deal of satisfaction by prohibitionists, who immediately proceeded to take advantage of it. The following table prepared by the License Department shows the results that have been obtained.

Date.	Municipality.	Status.	Number of votes for.	Number of votes against.	Majority for.	Majority against.	No. of Licenses affected.
1890							
Sept. 12	Lanark	Township.	149	42	107	....	†2
Dec. 24	Wellington	Village ..	65	62	3	....	†2
" 12	East Luther ...	Township.	222	222	.....	....	2
" 17	Essex Centre ..	Town ...	193	92	101	....	†3
1891							
Jan. 5	South Norwich	Township.	272	266	6	...	†4
" 5	London, West..	Village...	181	137	44	....	†2
" 5	Mersea	Township.	317	266	51	....	†2
" 5	Tilbury, East..	"	323	152	171	....	4
" 7	Embro	Village...	55	89	.....	34	2

Date.	Municipality.	Status.	Number of votes for.	Number of votes against.	Majority for.	Majority against.	No. of Licenses affected.
1891							
Feb. 12	Leamington ...	Town	183	168	15	....	†4
" 16	Oakland	Township.	111	74	37	....	†2
" 17	North Gosfield.	"	204	62	142	....	†1
" 20	Dereham	"	322	89	233	....	†2
" 23	Onondaga	"	113	98	15	....	†2
" 23	Sault Ste. Marie	Town ...	146	107	39	....	3
" 27	Westmeath. ...	Township.	186	156	30	....	†4
Mar. 9	Parry Sound .	Town	119	69	50	....	1
" 13	Binbrook	Township.	133	132	1	..	†1
" 20	Tilsonburg	Town	243	282	....	39	4
April 8	Goulbourn	Township.	155	235	....	80	2
Nov. 21	McDougall	"	30	9	21	....	0
1892							
Jan. 4	Mariposa	"	397	324	73	....	4
" 4	Pickering	"	560	497	63	....	†7
" 4	Haldimand	"	387	387	....	....	1
" 4	Huntsville	Village ...	84	100	....	16	3
" 15	Winchester . . .	"	71	15	56	....	†2
" 20	Blenheim	Town ...	186	209	....	23	3
Feb. 1	Storrington ...	Township.	233	195	38	....	3
" 8	Foley	"	40	60	....	20	0
Mar. 14	Campbellford ..	Village ...	217	228	....	11	4
" 29	Burford	Township.	353	391	....	38	3
April 16	Roxborough . .	"	273	293	....	20	7
May 9	Stouffville	Village ...	137	137	....	....	3
" 30	Wyoming	"	85	85	....	....	1
" 30	Pickering	Township.	628	557	71	....	7
1893							
Jan. 2	Brock	"	265	459	....	194	5
" 2	Coboconk	"	339	272	67	....	5
" 2	Olden	"	70	88	....	18	1
" 2	Norwich	Village ...	132	139	..	7	4
Mar. 17	East Luther	Township.	311	186	125	....	2
" 21	Maxville	Village ...	67	34	33	....	2
April 12	Gainsboro	Township.	385	202	183	....	2
Feb. 28	Carnarvon	"	59	35	24	....	0
May 30	West Garafraxa	"	224	82	142	....	2
Aug. 12	Faraday	"	66	69	....	3	2
			9,291	7,853	1,941	503	....

In the case of By-laws marked thus, † they were set aside on appeal, by the Courts.

It will be noticed that By-laws were submitted twice in the townships of Pickering and Luther. The first vote in the former was set aside by the Courts and in the latter the first vote was a tie.

The by-law passed in the town of Sault Ste. Marie related to shop licenses, that is, licenses for the sale of liquor not to be consumed on the premises. The by-laws in the other cases related to both tavern and shop licenses.

The local option legislation was attacked in the courts and orders were obtained quashing the by-laws in the cases which are marked thus † in the preceding table. This action of the courts was appealed against. The final decision of the Privy Council of Great Britain recently given affirmed the validity of the law. This decision had not, however, been rendered when the Royal Commission reported. Now that the question is settled there will probably be a revival of interest in this measure.

Important information was given to the Commission in relation to the working of prohibition under this legislation in Ontario by Dr. A. C. Gaviller, of Grand Valley, in East Luther, from whose evidence the following extracts are taken:

Ques. Do you think that the extent of prohibition that you have under the Crooks Act is working well?—*Ans.* Yes, very satisfactorily.

Ques. Is there illicit sale there, do you think?—*Ans.* I do not know of any.

Ques. What is the population?—*Ans.* About 800.

Ques. In some places we find that drug stores are alleged to sell liquor for beverage purposes. How is it there?—*Ans.* There is only one that sells it, that is Dr. Hopkins, and I believe he observes the law. The other does not sell for medicinal purposes or otherwise.

Ques. Have you observed the condition of the community as to drinking and drunkenness as compared with the condition under the previous system?—*Ans.* I know that under the license system, which obtained from 1888 to 1893, I frequently saw drunken men, lots of them, and I have not seen a drunken man in Grand Valley since the first of May last, when this local option law came into force.

Ques. And I suppose you are out a good deal?—*Ans.* Yes, I am out in the village often at nights, and in the country. I have not met a drunken man since then.

Ques. Do you often have public gatherings there?—*Ans.* Yes, we had a larger crowd at our fall fair this year than ever—about

two thousand. I went through the grounds and through the village, and I did not see a man the worse of liquor.

Ques. Do you remember how it was in previous years?—*Ans.* Yes. We used to have a good deal of drunkenness and fighting.

Ques. And you attribute the changed condition to the local option that you have under the Crooks Act?—*Ans.* Yes.

Ques. Have you observed what the effect has been on the other businesses of the town?—*Ans.* They claim that there is an increased business and an increase of cash payments to butchers and grocers. This year we have two butchers; last year there was only one. I was talking to the new one, and he said that his cash sales were better than those of the one who was there last year.

Ques. Do you think the same thing is the case with the other branches of trade that provide the comforts and necessities of life?—*Ans.* We have one more grocery than we had last year. I was talking to the new man after the fair day. He said he was doing a very good business. He said that local option had benefited his line of trade.

Ques. Sometimes it is claimed that unless there are facilities for providing liquor refreshments on holidays as well as on other days, a town will suffer loss, because there will not be as much money left in it?—*Ans.* This grocer was telling me about fruit. I am satisfied that there was a great deal more fruit bought in the village at the time of the fall fair than before, and a great deal of soda water was used. We have two soda water fountains.

Ques. So you do not think the town suffered in other trade in consequence of local option?—*Ans.* No, I did not think it did.

MANITOBA.

In Chapter 4 of Part II will be found information relating to the legislation in force in Manitoba under which licenses can be excluded from a territory either by petition or local option enactment. The Commission did not visit any of the many places in this province in which the liquor traffic is prohibited, nor did they obtain much information relating to such prohibition. The most important witness on this question was Mr. J. K. McLennan, grain merchant of Winnipeg, from whose examination the following is taken.

Ques. How long have you resided in Winnipeg?—*Ans.* Nearly two months; I recently came from Treherne.

Ques. Have you had any experience of prohibition, either general or local?—We are working under a no license plan at Treherne. We had a license at first, but the people finally

protested it out of town and no license has been granted since. The license was protested about a year ago. A town near there, called Holland, was working under license, while Treherne grants no license.

Ques. Have you ever known on occasions when crowds gathered, as on 24th of May and 1st July, that the people were boisterous at Holland, while the people at Treherne were quite peaceable?—*Ans.* Yes.

Ques. You do business at Treherne?—*Ans.* Yes, in the stores there.

Ques. Do you know whether the granting of licenses has any effect on general trade?—*Ans.* I consider it safer to do business where no liquor is sold. I think the people pay their accounts better. It is necessary in the country to give credit, and I think if much liquor is sold it is dangerous to give much credit. You feel more inclined to accommodate the people when you know they are not drinking.

Ques. They have more money because they are more thrifty, I suppose?—*Ans.* Yes.

QUEBEC.

What has been said in reference to the failure of the commissioners to visit prohibitory territory and there examine the workings of the law, applies to the course taken by those gentlemen in Quebec, as well as other places. As has already been shown, the municipal code of Quebec gives municipalities the right to prohibit the sale of liquor. The extent to which advantage was taken of this legislation, is shown to some extent in the evidence of Mr. Alfred Brosnan, Comptroller of Provincial Revenue, Quebec. His evidence contains the following paragraphs:—

Ques. Are there any other parishes that have come under the provisions of the municipal by-law, and in which there is no license of any kind issued?—*Ans.* Yes. Those parishes have issued no licenses. I can give you the districts. We have from 900 to 1,000 municipalities in the Province, say 900. Of that number there are 210 in which a prohibitory by-law is in force.

From the evidence of Mr. L. Z. Joncas, M.P. of Quebec, are taken the following extracts:—

Ques. Are you a member of the Dominion Parliament?—*Ans.* I am member for Gaspé in the House of Commons.

Ques. Is the license law in force in Gaspé, or have you a prohibitory law?—*Ans.* We have a license law in the Province of Quebec, and we have besides a prohibitory law by the municipal corporations.

Ques. In many districts?—*Ans.* Yes, in almost all the districts below.

Ques. In your particular county, have the people passed the necessary by-law in many parishes?—*Ans.* They have in all the municipalities except one.

Ques. Then you have prohibition under the license law in that part of the province?—*Ans.* We have the prohibitory laws of the municipal corporations.

GREAT BRITAIN AND IRELAND.

In a number of different parts of the United Kingdom local prohibition is in operation, mainly through the action of large landed proprietors who believe that their tenants are better off when freed from the temptation of legalized liquor selling. The only information furnished by the Commission in regard to those cases is contained in the minority report in the following paragraphs.

The report of the committee on intemperance for the convocation of the Province of Canterbury, already mentioned, contains a list of 1273 parishes and districts in which no licenses are issued, and of them says:—

“Few, it may be believed, are cognizant of the fact, which has been elicited by the present inquiry, that there are at this time within the Province of Canterbury upwards of one thousand parishes in which there is neither public house nor beer shop, and where in consequence of the absence of these inducements to crime and pauperism, according to the evidence before the committee, the intelligence, morality and comfort of the people are such as the friends of temperance would have anticipated.”

The same report contains a great array of testimonials from clergymen, chief constables and superintendents of police, numbering more than two hundred and fifty in all, bearing out the statement just quoted. In and around the city of Liverpool there are large tracts of land from which the owners have excluded all public houses. By these experiments it is claimed that the following facts have been clearly demonstrated:

“1. That as a business speculation, builders find it a more profitable investment of their capital to exclude public houses from the neighborhood of the people's dwellings. It has been found that a public house depreciates the value of the surrounding property more than the extra rent obtained for the house itself; it attracts and creates rowdyism; rowdyism drives away respectable tenants, causes loss of rent, frequent removals, damage to property and expensive cleansing operations after infectious diseases, to which the intemperate are specially liable.

"2. That residences in these prohibitory districts are much in demand, and people are willing to pay a higher rent for dwellings here than elsewhere. There has been no instance of a complaint from the residents of these districts of the absence of a public house."

In the *Edinburgh Review*, a writer makes the following statement:—

"We have seen a list of eighty-nine estates in England and Scotland where the drink traffic has been altogether suppressed, with the very happiest social results. The late Lord Palmerston suppressed the beer shops in Romsey as the leases fell in. We know an estate which stretches for miles along the shore of Loch Fyne where no whiskey is allowed to be sold. The peasants and fishermen are flourishing. They have all their money in the bank, and they obtain higher wages than their neighbors when they go to sea."

Saltaire is a manufacturing settlement founded by Sir Titus Salt, near Bradford, in Yorkshire, in which the sale of all liquors has been forbidden. Its condition has been described in "*Homes of the Working Class*," in the following terms:—

"One thing there is which is not to be found in Saltaire, and Mr. Salt deserves as much praise for its absence as he does for anything he has provided. Not a public house or beer house is there. And what are the results? Briefly these: There are scarcely ever any arrears for rent. Infant mortality is very low as compared with that of Bradford, from which place the majority of the hands have come. Illegitimate births are rare. The tone and self-respect of the working people are much greater than that of factory hands generally. Their wages are not high, but they enable them to secure more of the comforts and decencies of life than they could elsewhere, owing to the facilities placed within their reach and the absence of drinking houses."

Lord Claud Hamilton, a large landed proprietor in Ireland, and a member of the British Parliament, said some time ago in a public meeting:—

"I am here as representing the county to assure you that the facts stated regarding the success of prohibition there are perfectly accurate. There is a district in that county of sixty-one square miles, inhabited by nearly ten thousand people, having three great roads communicating with market towns, in which there are no public houses, entirely owing to the self-action of the inhabitants. The result has been that whereas those high-roads were in former times constant scenes of strife and drunkenness, necessitating the presence of a very considerable number of police to be located in the district, at present there is not a single policeman in that district, the poor rates are half what they were before, and all the police and magistrates testify to the great absence of crime."

Similar statements might be quoted in reference to the famous Irish town of Bessbrook, in reference to the Shaftesbury Park estate and many other places from which the liquor traffic is shut out by the various methods already indicated.

THE UNITED STATES.

Local prohibition is operative to a large extent in some States. Connecticut, Massachusetts, Georgia, Alabama, Missouri, Tennessee and Kentucky have large areas of territory in which liquor selling is prohibited on this plan. None of these places received any special attention in the majority report. The commissioners did not visit any such prohibitory territory. A trip was made to visit the towns of Riverside and Pasadena in Southern California, in which it was reported that local prohibition existed. It was found there that liquor was lawfully sold in the towns named, but that sale was not permitted in neighboring towns. No investigation whatever was made into these cases of actual prohibition. Evidence taken in Minnesota showed that in the rural parts of the state, local prohibition had been extensively adopted, but very little information was obtained as to the results of such prohibition.

Rev. Dr. McLeod collected some valuable information in relation to the State of Massachusetts, in the towns and cities of which a vote is annually taken on the question of license or non-license. His interesting summary of facts is in the following form :—

To show the effect of the no-license system, as compared with the license system, your commissioner presents a carefully prepared compilation of the records of police courts in Massachusetts cities. All the figures have been taken from official sources. They give the population of each city according to the last census, the retail license paid in license cities, the total arrests for drunkenness, and the arrests for assaults.

The tables include the cities and organized towns of the state having a population of 10,000 or over. The cities and towns are arranged in two groups—a group containing those under license during the police year 1892, and a group containing those under local prohibition during the same year. The third table gives a summary of the totals of tables 1 and 2, and for purposes of comparison shows the number of arrests per thousand of the population.

TABLE I.—Cities under high license during police year.

License cities.	Population 1890.	Annual saloon license fee.	Total arrests.	Arrests for drunkenness	Arrests disorderly conduct.	Arrests, assaults.
Boston	448,477	\$1,300	48,463	33,746	793	3,183
Lowell	77,696	1,500	6,153	4,639	49	238
Fall River.	74,398	1,300	2,971	1,220	429	390
Lynn	55,727	1,000	4,157	2,955	79	308
Lawrence	44,654	1,300	2,840	1,878	85	215
Springfield.	44,179	1,500	2,511	1,634	243	69
Holyoke.	35,637	1,300	1,493	890	49	234
Salem	30,801	1,000	1,558	1,120	94	87
Taunton	25,448	1,600	1,585	1,311	31	53
Gloucester.	24,651	1,500	1,733	1,246	20	135
Waltham	18,707	1,400	1,308	858	114	68
Pittsfield.	17,281	2,000	1,284	829	138	62
North Adams.	16,074	1,600	929	572	106	31
Northampton.	14,990	1,300	660	574	25	29
Chicopee	14,050	1,400	605	301	98	75
Woburn	13,499	1,500	1,005	680	41	103
Totals	956,269	.....	79,255	54,453	2,394	5,280

TABLE II.—Cities under prohibitory law during police year.

Prohibition cities.	Popula- tion 1890.	Total arrests.	Arrests for drunken ness.	Arrests for dis- orderly conduct.	Arrests for assault.
Cambridge	70,028	3,047	1,704	262	253
Summerville	40,152	1,824	1,344	50	122
Chelsea.	27,909	1,688	943	57	68
Brockton	27,294	1,265	861	89	59
Newton	24,379	1,118	719	88	50
Malden	23,031	579	276	44	61
Quincey	16,723	393	230	41	41
Marlborough.	13,805	445	239	42	23
Brookline	12,103	790	382	37	92
Everett	11,068	489	297	6	27
Deverley	10,821	165	125	18	10
Hyde Park	20,193	164	50	49	15
Totals	287,506	11,967	7,168	778	761

TABLE III.—The groups of cities compared by totals and by the number of arrests of each class per 1,000 of population.

	Popula- tion 1890.	Total arrests.	Arrests for drunken ness.	Arrests for dis- orderly conduct.	Arrests for assault.
Cities wholly under license	956,269	79,255	54,453	2,394	5,280
Cities wholly under prohibition	287,506	11,967	7,168	778	762

ARRESTS PER 1,000 OF POPULATION.

	Total.	Drunken- ness.	Assault.
Cities wholly under license	82.9	56.9	55
Cities wholly under prohibition	41.6	24.9	26

It will be seen that those cities under high license averaged 82.9 arrests per thousand of population, while the cities under prohibition average but 41.6, scarcely more than one-half as many. Arrests for drunkenness in the high license cities averaged 56.9 per thousand of the population, but the cities under prohibition had only 24.9, or considerably less than one-half as many,—a fact which does not appear in the tables is that those cities which have been the longest under prohibition have the best record.

The following is interesting, showing the effect in a single city, of license, no license and license, in three successive years. The figures are from the police record of the city of Worcester, Mass.:

TOTAL ARRESTS.

1889-90—License	3,889
1890-91—No license	2,589
1891-92—License	4,807

ARRESTS FOR DRUNKENNESS.

1889-90—License	2,926
1890-91—No license	1,590
1891-92—License	3,574

The following return was furnished by the chief of police at New Bedford, Mass. It shows the arrests during the last four months

of no license—1st Jan. to 30th April, 1893—and the arrests during the first four months under license—1st May to 31st August, 1893:—

	No license period. 1st Jan. to 1st May.	License period. 1st May to 1st Sept.
Total arrests.....	412	826
Assault and battery.....	34	78
Disturbing the peace.....	38	70
Larceny.....	24	34
Drunkenness.....	204	503

Cambridge is one of the largest cities which has been continuously under the no license system for a period of years. The statements of some of its business men are subjoined.

Mr. John P. Squire, president of the Squire & Co. Slaughtering and Curing Co., East Cambridge, where 800 men are employed, says: "My observation of the effect of no-license in Cambridge leads me to affirm without any qualification that the character and habits of a good many of the men employed by us have shown a decided improvement since it went into effect. Before no-license the saloons and tippling shops were numerous in the vicinity of the packing house where the men worked, and many of them lay between the packing house and the homes of the men, so that they had to be passed on their way back and forth, and were a constant temptation to the men. Now that they have been driven out of Cambridge and resort has to be had either to the kitchen bar-rooms or to the saloons in Boston, a great many of the men refrain entirely from patronizing either, and the result is that drinking among the men has very largely decreased. As a natural result, the men do more and better work, with less waste arising from carelessness or incompetency, and the cost of production has correspondingly decreased.

Curtis, Davis & Co., soap manufacturers, Cambridgeport, says:—"Previously to the adoption of the no-license policy in Cambridge, it was difficult for us to secure the service of fifty men without there being ten or more drinking men among them. We were frequently discharging men for non-appearance after holidays, undoubtedly due to drunkenness. Often several applicants for places would be tried before a reliable man could be found. We have had no occasion to discharge a man for drinking for three years past. Drinking men seem to have removed from Cambridge in many cases. Drunken men are seen upon the streets and cars, but they obtain the liquor in most cases in Boston saloons."

Moore & Ricker, hardware dealers, say:—"The men are more temperate, consequently more industrious, under the no-license law. The quality of the work performed is better and the quantity increased, which causes a decrease in the cost of production. The labouring class is more prompt in paying bills. Much more money is spent for the necessaries of life than under

license. Buildings formerly occupied by saloons are in use for some valuable business."

The minority report also presents the following facts in reference to the States of Georgia and Mississippi. :—

Georgia.—In answer to an inquiry addressed by the Commission to the governor of Georgia, Rev. Dr. Hawthorne, of Atlanta, at the governor's request, wrote :—"Under the local option law in Georgia, we have complete prohibition of the liquor traffic in about one hundred counties (out of one hundred and thirty-seven), and partial prohibition in the other counties. There are occasional violations of the law, but they are not more frequent than the violations of any other criminal law. The people are so well satisfied with it that, in almost every county where it has been in operation several years, no effort is made to repeal it. We have prohibition in every county where there is a large majority of white voters. * * * No well informed person doubts that the local option law has improved the morals of the people, and greatly contributed to their material warfare."

The Savannah News, one of the most influential daily papers in the state, said editorially :—"More than three-fourths of the counties of the state have voted out whiskey, and there is not one of them that is not richer and more prosperous for its action. In every one of them the people are happier and more industrious, and there is less crime and pauperism than there ever was before. The prohibition movement in the state has grown rapidly, because wherever it has been adopted its benefits have at once become apparent."

Hon. J. D. Stuart, member of Congress for Georgia, in an address in Congress, said :—"I have held court for five years in the State of Georgia, and of the eight counties in my district, six were prohibition counties and the others non-prohibition or whiskey counties. I want to say as a witness on this subject, that in counties where the sale of intoxicating liquors was absolutely prohibited my duties in disposing of the criminal docket would occupy sometimes one or two days, sometimes half a day ; while in the counties where there was free whiskey I have scarcely ever cleared the criminal docket in less than three to five days."

Mississippi.—In Mississippi a like local option law is in force, and much the larger part of the state is without licensed drink shops. Bishop Galloway makes this statement about the extent and effect of prohibition in the state :—

Of the 75 counties in Mississippi, intoxicating liquors are sold only in 10, and the indications are that in the next few months the number will be reduced to 5, and in the ten counties still in the small 'wet' column, liquor is sold in possibly only ten places, and those are towns sufficiently large to have police protection. The large county of Hinds, with the state capital and twelve towns, has only three saloons, and they are in the city of Jackson. One of these will close in three weeks, and the others are doomed. The villages and country places are now entirely rid of these dreadful storm-centres of crime and vice."

CHAPTER VII.

PROHIBITION IN THE NORTH-WEST TERRITORIES.

The Canadian North-West Territories afford an instructive experiment in the actual working of prohibition. From the time that region came under the control of the Dominion Parliament in 1870 down to 1892, there was in our national statute books, a clearly worded enactment for the protection of natives and settlers from the dangerous and aggressive liquor traffic. The law relating to the subject was in the following terms :—

No intoxicating liquor or intoxicant shall be manufactured, compounded or made in the Territories except by the special permission of the Governor in Council; nor shall any intoxicating liquor or intoxicant be imported or sold, exchanged, traded, or bartered, or had in possession therein except by special permission of the Lieut.-Governor.

It does not seem to have been expected that under the regulation quoted there would be any free issue of permits for the bringing in of liquor. For a long time the issue of such permits was limited, and probably most of the liquor imported under them was for medicinal, sacramental and scientific purposes. In the year 1881 Hon. David Laird was Lieutenant-Governor of the North-West, and the total quantity of liquor taken into the country under permits was 3,165 gallons. The population of the Territories was in that year estimated at 25,515.

In 1882, Hon. E. Dewdney was appointed Lieutenant-Governor. Under his regime the issue of permits became more frequent, and a great deal of liquor was brought in

for what was called domestic use. He held office up to the middle of 1888. During his last full year of office, 1887, the number of gallons of liquor for which permits were issued was 21,636. In addition to this, the report of the Department of the Interior shows that there were sold on the dining cars of the C. P. R., under special permit, from December 15th, 1886, to November 25th, 1887, 3,569 gallons of wine and beer.

The police officials complained bitterly of the difficulty of enforcing the law when permits were so freely issued. In his report for 1886, Superintendent Perry said :—

Permits are often used to cover unlawfully obtained liquor they are frequently abused, thus preventing the carrying out of the law.

The officers met with another difficulty. A judge ruled that liquor once admitted under a permit could be held by anyone whether he was the party to whom the permit was originally issued or not. This decision practically allowed a permit to cover any liquor with which the holder could associate it. It was only necessary to get the stuff into the country and some old permit would protect it.

The commissioner of the North-West Mounted Police declared that this decision "almost completely kills the enforcement of the North West Act." The action of the government and the decision of the judge thus combined to defeat enforcement.

Commissioner Herchmer said in 1887 :—

The permit system should be done away with in the first place if the law is to be enforced, and the law itself should be cleared of the technicalities that have enabled so many to escape punishment this last year.

Protests were continually made by leading settlers, not against the prohibition, but against the facilities provided for its violation. The North-West Council was petitioned to urge the Dominion Government to bring about a reform. In the session of 1887 a motion, favoring a change from prohibition, was carried in the North-West Council, but it was carried by the appointed members, a majority of those elected by the people voting against it. Then it was proposed that no change should be made in the law until a vote of the people should be taken on the question of the

continuance of prohibition. In 1888 the new legislature declared in favor of such a plebiscite by a vote of 14 to 6, the 6 dissidents favoring an amendment offered in favor of a change to "a stringent license system."

Hon. Joseph Royal was appointed Lieutenant-Governor in 1888. He proposed to inaugurate a new method of dealing with the liquor traffic, declaring his intention of interpreting the law above quoted as authorizing him to issue permits for the bringing in and selling liquor, and he made provision for the sale of beer containing four per cent. alcohol. This was practically the establishment of liquor selling.

As might have been expected strong protests were made. Leading journals declared their dissatisfaction. The following are a few quotations from them:—

"The late action of the Lieutenant-Governor in granting beer licenses in the Territories was a direct attack upon the principles of responsible government and prohibition."—*Edmonton Bulletin*.

"The recent action of Lieut.-Governor Royal in introducing the principle of license in direct opposition to the recently expressed wishes of the electors, was almost like a thunderbolt from a clear sky. The issue of permits to sell beer, though contrary to the spirit and intention of the Territorial Act, shows that the Lieut.-Governor can control or license the liquor traffic in all its phases just as he pleases."—*The Qu'Appelle Progress*.

"When the North-West Assembly meets it will be heard from in no uncertain way on the liquor question. A more ridiculous farce than that which is now being enacted could not be contemplated."—*Winnipeg Free Press*.

"Like most compromises this has failed to give satisfaction to anyone. Prohibitionists say it is overriding the law; small hotel-keepers say it is making unfair discrimination against them."—*Battleford Herald*.

Protests were wired to the Dominion Government at Ottawa. A large convention, gathered at Regina, protested against the action. The chairman stated that a widely circulated petition some time ago praying the Dominion parliament to make no change before a vote of the people was taken, had secured 2,143 signatures in a very short time. A committee waited upon the Lieutenant Governor and urged him to delay his action until a vote of the people could be taken. Resolutions were adopted favoring prohibition and urging the Dominion parliament

to allow the people to vote on the proposal to authorize the liquor traffic, before it was carried out.

The Lieutenant Governor disregarded the petitions. The government at Ottawa took no action. The Northwest Legislature met and declared its opinion by rejecting a license-favoring motion on a vote of fourteen to four, and declaring for a plebiscite.

The amount of liquor imported increased rapidly and the convictions for crime as well. As will be readily understood, the provision that the liquor to be sold should contain only four per cent. alcohol was ignored. As Superintendent Perry, of the North-West Police, reported, "None but a chemical expert could determine the amount of alcohol in any particular beer." Strong ale was freely imported under four per cent. permits. Spirits were freely sold.

The Police Commissioner established canteens at the different mounted police posts at which liquor was sold to the men, the officers who should have carried out the prohibitory law, themselves thus actually engaging in the liquor traffic under authority. The result can be readily imagined.

In inaugurating his plan the Lieutenant-Governor had provided that each permit to sell four per cent. beer should be issued to a party recommended by the member of the legislature representing the constituency in which the permit-license was to operate. It will readily be seen that this had a tendency to bring about a mischievous alliance between members of the legislature and liquor sellers. Many of these representatives were desirous of getting rid of this disagreeable relationship. Prohibition was practically gone, and a very poor license system had replaced it.

At this crisis, in 1891, a new constitution was granted to the Territories. A new assembly was to be elected, to which was to be relegated the question of dealing with the liquor traffic.

The political situation practically prevented the temperance question being to any extent an issue in the election.

In regard to other matters (as well as in reference to the liquor traffic), the Lieutenant-Governor had set himself in opposition to the wishes of the people and the views of the legislature. A great majority of the members opposed the Lieutenant-Governor. The issue in the election was the sustaining or condemning of these men. Nearly all the old members were candidates for re-election. In many cases they were unopposed. The rally to the polls was to a large extent a protest against the arbitrary action of the Lieutenant-Governor. It is easy to understand how, under these conditions, there was elected a legislature which proposed at the very first opportunity to change the law the administration of which had become a farce and a disgrace. At its first sitting there was enacted a rigid system of license with local option provisions.

Two members of the Royal Commission, Judge McDonald and Rev. Dr. McLeod, visited the Territories in 1892, a short time after the new system had come into operation. They took evidence at Regina, Prince Albert, Calgary, Fort McLeod and Banff.

In both the majority and the minority reports a good deal of space is devoted to a summing up of the facts and opinions presented.

The majority report makes strenuous efforts to justify the action of Lieutenant-Governor Royal and make it appear that the old law was not desirable or workable except in relation to the Indian population. It says:—

Two facts seem clearly established: First, that the prohibitory feature of the law was intended to apply to and protect the Indians, while the permissive feature was embodied in the statute to cover the case of the white population; second, that absolute power to regulate the supply for the white population was entrusted to the chief executive officer of the Territories, "by placing in his hands the power to dispense with certain provisions of the statute."

The system appears to have worked in a satisfactory manner during several years, and, in fact, until immigration commenced to flow in considerable volume into the country.

This seems to be a rather strange interpretation of the statute quoted. That it was not the intention of the

Dominion Parliament in framing the enactment is made manifest by the following quotation from the minority report :—

In an address delivered in London in the summer of 1880 Sir Charles Tupper made the following reference to North-West prohibition :—

“Some years ago (1872) he had the honour of proposing to parliament the most prohibitory law that was ever proposed in any country, applying to a section of country 2,500,000 miles in extent, called the North-West Territory. It was a measure for entire prohibition. There, he felt, was presented an opportunity of dealing with the question on its merits, and without the difficulties involved by the enormous vested interests that in this country where the liquor traffic has been established formed the great obstacle of success. * * * It might be asked : Do the people in the North-West Territory object to the absence of the privilege of being able to purchase intoxicating drinks ? Not in the least ; but on the contrary, he was proud to know that when the proposition was made to annex a portion of the North-West Territory to Manitoba, where the liquor traffic existed, one of the strongest objections to the annexation was that it would deprive them of the great blessing of a prohibitory liquor law.”

That the law conferred material benefit on others as well as Indians is very clear. Even Lieutenant-Governor Royal himself in a letter to the Commission dated January 7th, 1893, says :—

For seven years and more the law of 1875 had brought about all the good results that the legislation had anticipated. When in 1882 and 1883 the Canadian Pacific Railway Company placed under contract the construction of its lines across the plains to the Rocky Mountains, many apprehended, and not without reason, that the cortege of crimes of all sorts, which had accompanied the construction of trans-continental lines in the United States, would inevitably appear from the moment the uninhabited territories were reached ; fears of interference by the Indians with the progress of the work were also entertained. Yet none of these fears and apprehensions were realized. Owing to the absence of strong liquors in the camps of the railway navvies, owing to the discipline and strict surveillance exercised by the North-West Mounted Police, the construction was proceeded with and carried on through more than seven hundred miles of vacant and silent plains with at least as much order and tranquillity as if it had been across any of the provinces of eastern Canada.

Hon. John Schultz, Lieutenant-Governor of Manitoba, in his evidence at Winnipeg said :—

The second of the measures which I have mentioned, viz. :— Prohibitive Acts of the first council for the North-West, were speedily put into execution by an armed force, the North-West Mounted Police, and the lawlessness, violence, drunkenness and debauchery consequent upon the conditions which then obtained in some parts of the North-West were immediately repressed, and for the first time since liquor had first reached the Piegans, the Bloods, Blackfeet and part of the Crees, their country could be traversed in safety. * * * Without the prohibitions then adopted and enforced it would have been difficult to treat with, and practically impossible to govern the tribes which I have mentioned. It aided also the settlement of the country ; wealthy parents of dissipated sons saw in it a means of reform and prosperity, and money was freely provided to such settlers by those interested in their welfare, during the period when prohibition obtained, and it was doubtless the salvation of many others besides those who came under my own notice.

Hon. J. G. Joly, in his evidence taken in the city of Quebec, made this statement :—

I happened to be in the North-West Territory when total prohibition prevailed, and certainly at that time, with the class of people who were there then, I think it was very beneficial. There were scarcely any settlers there, and the country was over-run with working men from every part of the world, who were employed in constructing the Canadian Pacific Railway. I travelled on a construction train with hundreds of men, as the railway was not finished beyond Moose Jaw. Some American gentlemen were with me, and they called my attention to the fact, observing all the discomfort to be endured by these men, large numbers being packed in the cars and even standing on the platform, that if such a state of things had prevailed on the Northern Pacific there would have been a regular pandemonium ; while here, though the men were very much crowded and though some could not find seats and had to lie on the floor, there was no liquor drank and there was no disorder.

It would be easy to present many similar quotations from the evidence of important witnesses. We submit further in this connection only the following statement by Sir William Dawson :—

In our North-West, when the Canadian Pacific Railway was building, I had an illustration which struck me exceedingly forcibly. There were at that time—and I went there when the road was in process of construction through the plains and Rocky Mountains—perhaps 20,000 men employed on the road, and I neither saw drunkenness, fighting or quarrelling there ; everybody seemed in a sound mind, and I never saw so many laboring men quiet and orderly (they being, moreover, of all nationalities), as

there were there. It struck me very much as an illustration of the power of a restrictive measure, because there were no liquors allowed, except for medicinal purposes.

The evidence taken shows that the free issue of permits by the Lieutenant-Governor coupled with the decision already mentioned, practically broke down the law. The Lieutenant-Governor permitted the sale of beer. This of course meant open saloons. The other permits he issued protected ardent spirits in these saloons. The majority report says :—

Legal questions that arose in connection with the permit system increased the difficulties attending its enforcement. By a decision given by Mr. Justice Rouleau, at Calgary, it was decided that one man could be in possession of any quantity of liquor, provided some one had received a permit for it and given it to the holder. Consequently a saloon-keeper was provided by his friends with all the permits he required.

Commissioner Herchmer, in his report of 1888, referred to this ruling, and said: "A saloon-keeper of any experience keeps about enough liquor on his premises to fill his permits, and whenever 'pulled' by the police he produces his permit or those of his friends, and keeps his reserve stock of contraband liquor in hay stacks and manure heaps, closets and other hiding places of the same sort, consequently it is impossible for the force I command to do much." In 1890, the commissioner reiterated his complaint, and said: "The fact that counterfoils furnished, belonging to other people, can protect liquor, almost completely kills the enforcement of the North-West Act, in spite of the efforts of the Lieutenant-Governor of the North-West Territories to prevent the transfer of permits, and places the police in a most unfortunate position. In fact, as at present interpreted, it is impossible to enforce the Act."

It is not strange that under these circumstances the so-called prohibitory law fell into disrepute. The good effects of the measure and the evil effects of its practical abrogation are strikingly shown by the following table relating to the Northwest Territories compiled from the official statistics found in the Commission's report. The quantities of liquor therein mentioned are those for which the Lieutenant-Governor issued permits in the years named as set out in the Blue Books issued by the Dominion Government :—

YEAR.	Population.	Gallons of liquor imported under "permits."	Convictions for all offences.		For Drunkenness	
			Total.	Per 1,000 of population.	Total.	Per 1,000 of population.
1881.....	56,446	3,165	79	1'39	<i>a</i>	<i>a</i>
1882... ..	60,920	not given.	8	0'13	<i>a</i>	<i>a</i>
1883.....	65,748	6,736	184	2'79	<i>b</i> 8	0'12
1884.....	70,957	9,908	304	4'28	<i>b</i> 62	0'87
1885.....	76,585	9,758	296	3'86	<i>b</i> 31	0'40
1886.....	79,939	20,564	466	5'82	75	0'93
1887.....	83,429	21,636	234	2'80	47	0'56
1888.....	87,071	56,388	296	3'39	67	0'77
1889.....	90,872	151,629	421	4'63	93	1'02
1890.....	94,839	153,670	475	5'00	81	0'85
1891.....	98,967	121,825	555	5'60	111	1'12
1892.....	103,288	<i>c</i>	731	7'07	186	1'80
1893.....	107,797	<i>c</i>	754	6'99	232	2'15

a No returns. *b* Returns of North-West Mounted Police only.
c License law in force.

The new license law for the Territories went into operation May 1st, 1892.

In considering the above figures it should be borne in mind that the extraordinary number of convictions for 1886 may be partially accounted for by the disturbed condition of affairs connected with the Northwest rebellion which took place in the calendar year 1885, a part of the criminal record relating to which would be found in 1886.

The argument that the increased consumption of beer materially reduced the consumption of spirits is shown to be entirely unsound by the following table, submitted by Lieutenant-Governor Royal, of the permits issued for most of the time above mentioned :—

YEAR.	Total liquor and Beer Permits issued.	Total gallons of spirits.	Total beer.
1883	1,874	4,451	1,468
1884	2,457	5,404	3,565
1885	1,761	3,682	5,322
1886	3,559	6,604	12,672
1887	3,663	6,979	12,865
1888	4,233	8,561	25,767
1889	5,424	11,660	112,448
1890	5,754	12,417	97,116
1891	5,970	14,341	86,926

Bad as were the results of the breaking down of the prohibitory law the statistics show that even a worse condition of affairs was inaugurated under the new license Act which went into operation May 1st, 1892. The table already quoted shows a large increase of crime and drunkenness for those years. A striking feature of the majority report is an effort to make it appear that a better condition of things followed the repeal of prohibition. Some witnesses in their evidence stated that this was the case, but a large number of competent observers contradicted the statement. The report mentioned says:—

Interest attaches to the results which have followed the adoption of the license system. Taking a few of the witnesses haphazard, we find the following expressions of opinion given in the testimony:—

and then quotes sentences from the testimony of eleven witnesses all of which make it appear that drunkenness had not increased under the license law. This would indicate that witnesses generally thought the license system an improvement, whereas a great deal of reliable testimony was offered showing the reverse to be true. From the minority report we take the following extracts:—

The Commission visited the Territories in the fall of the same year. Though there had been less than six months of license many witnesses testified that there had been an increase of drinking and of the disorders accompanying the liquor traffic.

The mayor of Regina said:—"We have had more of it (drunkenness) since the license system came into force." The

mayor of Prince Albert said :—" The license system is increasing the drinking in the rural districts." Like evidence about the rural districts was given by others.

In Calgary there had been a large increase in the arrests during the six months of license. One of the witnesses said :—

" We looked over the books this morning, and I found that since the license law came into operation there have been 136 arrests for all offences. Of that number 102 have been for drunkenness. These have been during the six months the law has been in force. For the corresponding six months before there were 60 arrests for all offences, and 33 were for cases of drunkenness or vagrancy."

The magistrate at Banff told a like story about that place and Canmore.

The Ven. Archdeacon McKay, of Prince Albert, said he had seen more drunkenness on the streets of Prince Albert under the license system than he ever saw before. And his evidence is a sample of much that was said on the same subject.

The change from prohibition to license seems to have had a bad effect upon the mounted police themselves. Here again some important facts, not to be found in the majority report, are presented by Rev. Dr. McLeod in the following terms :—

The effect on the men of the mounted police has evidently been bad. Colonel Herchmer, in his 1892 report, says there has been "an increase of drunkenness amongst the men." He adds : " The introduction of the license Act has enabled some men who formerly could not get liquor to disgrace themselves and the force, and those I have been obliged to dismiss as useless."

In the same report Superintendent Steele, of Fort Macleod, says :—" There is no stint of liquor of all descriptions at a low price, while the barracks are so close to the town that the temptation to certain men has been very great. As was to be expected a certain number who were slaves to liquor soon showed their dispositions and were dismissed from the force."

Superintendent Dean had similar trouble with the men of his command at Lethbridge. They had given him much trouble by their drunkenness. Six had to be dismissed from the force. He makes a statement which is a comparison of six months in the last year of the prohibitory law and the first six months of the license system. He says :—

" From the 25th of May until the 30th of November, 1891, there were eight cases of drunkenness in the division. During the corresponding months of the present year there were thirteen cases, but this does not by any means represent the real increase in consumption of strong drink by men who had evidently been drinking, although they were not under the influence of liquor from a disciplinary point of view."

One of the most regrettable results of the change is the increased facilities which the new law furnishes the North-west Indians for indulgence in the vice of drunkenness, to them a special peril and curse. Even the majority report makes this clear. Regarding the same matter the minority report contains the following statement :—

In his report for 1892 Superintendent Perry says :—“ The effect on the Indians by the change in the liquor law, so far as can be judged at present, has been bad. They have obtained more liquor under the license ordinance than they formerly did, and the difficulties in preventing this are greater. They buy from or through the half-breeds, and sometimes directly. In a case recently tried at Regina a wholesale dealer was convicted for selling two gallons of whiskey to an Indian who spoke fair English and looked altogether like a half-breed. This whiskey was taken to Pi-a-pot's reserve during hay-making, and the whole camp became drunk.”

Inspector Huot, stationed at Duck Lake, reports that :—“ Some half-breeds have, when without ready cash in hand, sold cattle at sacrifice in order to procure liquor, the sale of which is constantly going on about them. Under the old system it would have been impossible for such persons to obtain permits at will.”

Colonel Herchmer in his report of 1892, already quoted, says :
“ Even in the best regulated districts there has been, I think, more general drinking than under the permit system, and one result is established beyond contradiction, viz., that the half-breeds and Indians can get more liquor than under the old law.
... To give you an idea of the consumption, I am creditably informed that between the first of June and the first of December six carloads of liquor have gone to Battleford ; in addition to this there can be little doubt that considerable amounts have gone in smaller consignments not recognized as liquor.

There was a striking pathos in some of the evidence on this line, given by those who are doing their best to bring the Northwest Indians up to a higher moral level. At Prince Albert Miss Lucy M. Barker, a missionary teacher in connection with the Presbyterian Church, gave evidence from which the following is clipped :—

Ques.—You have reason to fear from what you have seen since the license system has come into force that the Indians may be led astray? *Ans.*—I have great fear of it. During one year and a half before the license system I never met a drunken treaty Indian or low half-breed ; but I have met them coming and going since then. I did not like their condition.

Some of the reports of mounted police officials published since the Commission visited the Territories, claim that

the new law is working satisfactorily, but these statements cannot offset the evidence taken by the Commission, nor the striking statistics which have been quoted. The minority report contains a copy of a letter written to Rev. Dr. McLeod, on December, 1893, by Rev. Leo Gaetz, of Red Deer, N.W.T., a gentleman so well known and so conversant with conditions in the Territories that his evidence is specially valuable. He says:—

As to the liquor selling and drinking in the North-West under license, I say this deliberately and positively, that in this portion of the country the license has increased the sale of liquor one hundredfold and drunkenness in much the same proportion. I am speaking now of Red Deer and the surrounding places, principally Innisfail and Lacombe. Under the "permit" system liquor came in kegs and bottles, now it comes by barrels. Under the "permit" system it injured chiefly those immediately along the public lines of travel. Farmers a mile or two off the roads knew generally nothing of the movements of the smugglers, and went on with their work. Now it is centralized and published, and he leaves his home and work expressly to get it, or finds it open and attainable when he comes on other business. Then, only occasionally the hard cases gather where a "permit" was expected, or known to be, and have a short debauch. Now they lie around the tavern or rum shop and spend their time and money more freely and leisurely. Then, only a few well known drunkards smelt out a "permit" and went to excess. Now, persons who were never, before the inauguration of the license, known to touch liquor, are drinking more than they can stand and spending more than they can afford. Then, the few notorious cases when drunk lay concealed in a willow bluff or log shack. Now, they lie around the saloons, reel the streets or infest the different stores, either unconscious of their degradation or glorying in their shame, to the disgust of sober citizens and the contamination of the uninitiated.

KEEWATIN.

The prohibition which was so useful in the early history of the Northwest is still in operation in the large unorganized territory of Keewatin over which the Lieutenant-Governor of Manitoba exercises authority. Regarding the working of the law in the Territory, Lieutenant-Governor Schultz gave evidence as follows:—

In speaking of the practical results of the prohibitive Act which relates to the District of Keewatin, I desire to say that I have been materially aided in the attainment of these by the commissioned officers of the Hudson Bay Company, by the missionaries in the district, by the justices of the peace and by a commissioned officer and five constables of the North-West Mounted Police who have

undertaken the duty of a water patrol on one of the most exposed parts of the district, and that this aid has made prohibition prohibit ; and the direct results are that in four years no crime has been committed, and no greater comparative advance has been made in the work of any mission district anywhere in the North-West. I append for your information the form of permit used, two gallons to one person for medicinal purposes only being allowed for one year, the application for which has to be recommended by a justice of the peace, a missionary, or the head of the Indian department of the Hudson Bay Company here. Exceptions are only made in the case of sacramental wine.

In the report of the Minister of the Interior for 1893 His Honor the Lieutenant-Governor again refers to the law in the following terms :—

I am again able to make you the gratifying announcement that still another year has passed with an entire absence of crime in this district. The clauses of the Keewatin Act regarding intoxicants have been rigidly enforced, and permits have only been issued on the recommendations of missionaries, justices of the peace and the higher officers of the Hudson Bay Company, and then for medicinal and sacramental purposes only.

CHAPTER VIII.

RESULTS OF PROHIBITION IN THE UNITED STATES.

Laws prohibiting the liquor traffic in different forms are in force in seven states and two territories. Details of this legislation are set out in chapter 5 of Part II. Members of the Royal Commission visited three of these states, namely: Maine, Kansas, and Iowa. The facts collected and conclusions drawn in reference to these states will be dealt with separately.

It is worthy of note that the personal investigations of the commissioners were confined exclusively to urban localities. It is generally admitted that prohibitory laws are best enforced in rural places and the Commission was strongly urged to visit some such localities. They, however, refused to do this. Consequently they were not able to see for themselves the actual condition of affairs in the great area of the prohibition states in which the law is said to be thoroughly enforced.

STATISTICAL INFORMATION.

Under any circumstances some difficulty would be found by inquirers in attempting to compare the statistics of states or localities under prohibition and license respectively. Rev. Dr. McLeod sets this out forcibly in his report in which he says:

It might at first sight appear reasonable to expect that it would be possible to ascertain the result of prohibition by comparing the states named with those states which have not prohibitory

laws in operation. There are, however, a good many difficulties in the way of making such comparisons. The prohibitory laws mentioned do not prohibit the bringing of liquor into the territory over which they operate. Under them liquor importation is practically free. Parties can purchase elsewhere and bring in liquor for personal consumption to any extent. The prohibition is, therefore, imperfect, and it is impossible to ascertain exactly the amount of liquor consumed in the different states. Nor are there available accurate statistics of pauperism, crime, disease and other results of the liquor traffic in such form as to permit of comparisons being made that will show all the facts which it is desirable to have.

In some cases comparisons have been made between the police statistics of cities under license and cities under prohibition. Such comparisons are often misleading, especially so when only two cities are compared. For example, the arrests for drunkenness in different cities are largely affected, not merely by the amount of liquor consumed, but by the police regulations relating to drunkenness, or by the custom of the authorities in carrying out such regulations. In one city where there is notoriously much drunkenness, the record of arrests for drunkenness may have been much lower than that of a city where drunkenness is much less common.

It is well known that drunkenness is more common in large centres of population than in rural districts. A state having many such centres would, other things being equal, have more drunkenness than a state with a population almost exclusively agricultural. Cities and towns that have "a floating population," such places as seaport towns, are more likely to have marked drunkenness and disorder than inland places.

The character and nationality of a population affect the drunkenness record. Climate has much to do with the extent to which relief of poor is necessary. The diligence of authorities in carrying out either the prohibitory law or the law for punishing the intemperance that results from the liquor traffic, varies in different localities. For these and other reasons, statisticians admit the difficulty of making such comparisons as have been mentioned.

Almost the only statistics that can be used for the purpose named are those furnished by the United States census tables, the most recent of which are those for the year 1890. In considering these tables it must be borne in mind that they are not records relating to any extended period of time, but statements of the condition of affairs found on a particular date. The tables setting out the number of prisoners in penitentiaries, paupers in alm-houses, etc., simply show the population of these institutions on the day on which the census was taken.

The Commission had not at hand material from which they could reckon the yearly number of convictions for crimes in different States. A classification of the figures that were available and which may be taken for what it is worth, is submitted, together with some notes thereon from the minority report.

PENITENTIARIES.

(United States Census, 1890.)

States.	No. of Prisoners.	Ratio. per 1,000.
Prohibition States—		
Kansas	913	64
North Dakota	65	36
Iowa	623	32
New Hampshire	116	30
South Dakota	97	29
Vermont	91	27
Maine	170	25
License States—		
Arizona	144	241
Nevada	96	209
Montana	225	170
California	2,051	169
Texas	3,319	148
New York	8,190	136
Colorado	526	127
Idaho	102	120
Oregon	362	115
New Jersey	1,557	107
Florida	374	95
Georgia	1,729	94
North Carolina	1,422	87
Utah	180	86
Tennessee	1,484	84
Louisiana	856	76
Arkansas	832	75
New Mexico	112	72
Washington	251	71
Alabama	1,086	71
Virginia	1,167	70
South Carolina	806	70
Massachusetts	1,530	68
Maryland	690	66
Kentucky	1,235	66
Indiana	1,416	64

States.	No. of Prisoners.	Ratio per 1,000.
Missouri	1,701	63
Illinois	2,057	53
Michigan	1,108	52
Connecticut	340	45
Ohio	1,652	45
Pennsylvania	2,361	44
Nebraska	391	36
West Virginia	278	36
Rhode Island	122	35
Mississippi	429	33
Minnesota	432	33
Wisconsin	530	31
Wyoming	10	16

JAILS.

(United States Census, 1890.)

States.	No. of Prisoners.	Ratio per 1,000.
Prohibition States—		
Maine	302	45
Kansas	432	30
New Hampshire	113	30
North and South Dakota	97	19
Iowa	327	17
Vermont	30	09
License States—		
Arizona	97	1 62
Montana	193	1 46
Nevada	54	1 18
Wyoming	59	97
Dist. Columbia	213	92
Connecticut	675	90
Delaware	139	82
Florida	270	69
Colorado	275	66
California	682	56
New Mexico	85	55
New Jersey	783	54
Idaho	45	53
Louisiana	524	46

States.	No. of Prisoners.	Ratio per 1,000.
Texas	1,040	46
Pennsylvania	2,386	45
Massachusetts	954	42
Washington	141	40
Alabama	573	37
Tennessee	654	37
Arkansas	397	35
Kentucky	646	34
South Carolina	374	32
Georgia	552	30
North Carolina	442	27
Virginia	390	23
Mississippi	284	22
New York	1,292	21
Indiana	464	21
Utah	43	20
Nebraska	219	20
Wisconsin	345	20
West Virginia	153	20
Oregon	61	19
Michigan	399	19
Illinois	727	19
Missouri	505	18
Minnesota	208	16
Maryland	163	15
Ohio	502	13

PAUPERS IN ALMSHOUSES.

(United States Census, 1891.)

States.	No. of Inmates.	Ratio per 1,000.
Prohibition States—		
New Hampshire	1,143	3.03
Maine	1,161	1.75
Vermont	543	1.63
Iowa	1,621	.84
Kansas	593	.41
North Dakota	35	.19
South Dakota	53	.16

States.	No. of Prisoners.	Ratio per 1,000.
License States—		
California	2,600	2'15
Massachusetts	4,725	2'11
Ohio	7,400	2'01
Connecticut	1,438	1'92
New Jersey	2,718	1'88
Delaware	299	1'77
New York	10,272	1'71
Pennsylvania	8,653	1'64
Wisconsin	2,641	1'56
Maryland	1,599	1'53
Rhode Island	490	1'41
Illinois	5,395	1'41
Indiana	2,927	1'33
Virginia	2,193	1'32
West Virginia	792	1'03
Montana	132	'99
Nevada	43	'94
District of Columbia	221	'96
North Carolina	1,493	'92
Michigan	1,916	'91
Missouri	2,378	'88
Tennessee	1,545	'87
Kentucky	1,578	'84
South Carolina	578	'50
Georgia	901	'49
Alabama	623	'41
Mississippi	494	'38
Arizona	23	'38
Oregon	99	'31
Utah	62	'29
Minnesota	365	'28
Nebraska	291	'27
Idaho	20	'23
Colorado	87	'21
Washington	71	'20
Texas	464	'20
Arkansas	223	'19
Louisiana	122	'10
Florida	24	'06

In the penitentiaries' statistics it will be observed that the highest ratio in prohibition states is much smaller than the highest ratio in license states; and that only one license state has as low a ratio as the majority of prohibition states.

In the gaols statistics, also, the highest ratio in prohibition states is much below the highest ratio in license states; and no license state has a ratio as low as the lowest prohibition state.

In the almshouse statistics one prohibition state has a ratio higher than the license states, and that is New Hampshire, in which prohibition is only partial. Two license states have a lower ratio than the lowest prohibition state; these two are southern states, and one of them (Florida) is largely under prohibition. Having in mind the fact that the figures quoted are of the pauperism provided for in almshouses, it is worthy of note that the highest rate is in the older states, where there are not only more old people, but where the public care of the poor is better organized.

The following analyses and deductions will help to a better understanding of the foregoing tables.

The population of the prohibition states is one-twelfth of the population of the whole country.

The penitentiaries of the whole country had in them, when the census was taken, 42,233 convicts.

† Of these the penitentiaries in prohibition states had 2,080. But if they had had the same ratio as the other states the number would have been 3,770.

The non-prohibition states had in their penitentiaries 43,153. But if they had had convicts only in the same ratio as the prohibition states the number would have been reduced to 22,880, or nearly one half.

The jails of the whole country had in them 19,538 prisoners. Of these the prohibition states jails had 1,301. But if they had had the same ratio as the other states the number would have been increased to 1,628.

The jails in the non-prohibition states had 18,237. But if they had the same ratio as the prohibition states the number would have been reduced to 14,311.

The penitentiary convicts in all license states were '75 per thousand of the population. In prohibition states '39 per thousand of the population.

The prisoners in the jails of all license states were '37 per thousand of the population. In prohibition states '24 per thousand of the population.

The almshouses of the whole country had 73,045 inmates. Of these the almshouses in prohibition states had 5,149. If they had had the same ratio as the other states the number would have been 6,087.

The almshouses in the non-prohibition states had 67,896 inmates. If they had had the same ratio as the prohibition states the number would have been reduced to 61,788.

The paupers in almshouses in all license states were 1'29 per thousand of the population. In prohibition states there were 1'02 per thousand.

The foregoing figures make it clear that, in proportion to the population, serious crime and publicly supported pauperism are less in states under prohibition than in states under license.

The report of the Commission deals very briefly with the States of New Hampshire, Vermont, North Dakota, and South Dakota, in which as has been stated, no direct investigation was made. A few facts that were gathered up relating to them will however be of some interest and value.

NEW HAMPSHIRE.

All the information relating to the working of prohibition in this state that is to be found in the majority Commission report is contained in a letter to Sir Joseph Hickson from Ezra F. Stevens, Secretary of State, dated at Concord, May 23rd, 1892, which says:—

Dear Sir,—In answer to your letter of inquiry to Governor Tuttle, I have forwarded you a copy of the general statutes of this state revised to date, containing all the laws in force in regard to sale of spirituous liquors. This answers fully your inquiry as to the letter of the law.

I am sorry that I cannot answer other interrogatives as fully. The fact is there are no statistics on the subject. In a general way I can say that the laws of this state are similar to the laws of the states of Maine and Vermont, and as Massachusetts grants in some cases a license for sale of spirituous and malt liquors, that code is unlike ours.

The law of this state contemplates total prohibition; of course in towns where public opinion does not encourage it, the law is not uniformly enforced, and sales are made with more or less freedom, but in the majority of the towns of this state the law is enforced and no open, if any, sales are made.

Our statute generally restrains and prevents a general sale; and, as stated, in many places entirely prohibits the sale. The general features of this statute have been the law of this state since 1855.

Very respectfully.

The minority report gives the following additional information:—

Prohibition in this state is hampered by the fact that only the sale, and not the manufacture, is prohibited. Neither does the law prohibit sales made in original packages by importers into the United States. Up till 1881 towns had the right to permit the sale of lager beer. Brewing is very extensively carried on in this state. The Commission had no definite information other than that furnished by the international revenue records, which, for the reasons already stated, are of little value.

The Cyclopædia of Temperance and Prohibition makes this statement:—"It is inevitable that in a state where the manufacturing interest is powerful there will be made a considerable wholesale and retail market. In practice the New Hampshire law operates more as a local option than as a prohibitory Act, the traffic being entrenched in the important localities because of the legal standing that its most prominent representatives enjoy. But well-informed citizens of New Hampshire declare that the sale is suppressed in by far the greater number of towns and in practically all the unincorporated parts of the state. The Injunction Act of 1887 has strengthened the friends of the law in places where enforcement formerly was difficult. Successful crusades against the open saloon have been waged in the cities from time to time under this Act, and there can be no doubt that more stringent legislation—especially legislation against the manufacture—would render prohibition fully as efficient in New Hampshire as it has been in the neighboring states of Maine and Vermont."

Governor Goodell, in a recent address said: "Prohibition, comparatively speaking, has been a success in New Hampshire. The enforcement of the law of late in the state has been simply remarkable. It has resulted in reducing the number of convicts in the state prison from 202 to about 100."

VERMONT.

The information contained in the majority report regarding the state of Vermont is very meagre, being also confined to a letter from the State Secretary. This communication addressed to Sir Joseph Hickson, dated at Hyde Park, May 17th, 1892, says:—

Dear Sir,—By request of the governor, I have the honor to reply to yours of 9th May and say that Vermont has worked under the prohibitory liquor law for about 40 years. It is the opinion of those best versed in the matter that the effect of the law in Vermont has been to decrease the consumption of intoxicating beverages; that it is diminishing drunkenness, and having a marked tendency to diminish crime and lessen the poor expenditure; and that our insane asylums have less inmates than they would have had were it not for the existence and enforcement of the prohibitory law, though in many cases it has failed of a very strict enforcement. No better evidence perhaps of the way in which the people of Vermont look upon the working of our statute and its general good effect can be found than in the fact that it has stood upon the statute books of the state for a good many years, and that every step taken by the legislature since the first enactment of the law has been rather toward a more strict prohibition than otherwise. There has of course been, and there is to-day, in certain localities, more or less opposition to the enforcement of the law. In case that the regular elected officers, whose

business it is to enforce the law, shall fail so to do, it lies in the power of the executive, on the application of 20 citizens, to appoint a special prosecutor of criminal offences, who may prosecute not only liquor offences but other criminal offences as well. The law in its enactment however, had more particularly in view the crimes resultant from the traffic in and the use of intoxicating liquors. The law has been within the last year or two very rigidly enforced at Montpelier, the capital of the state.

In this case also Rev. Dr. McLeod has gathered up some instructive items of information of which the following are the most important :—

The law is in some respects less rigid than in Maine, inasmuch as the penalties for infractions of it are lighter. It however goes further in that it prohibits the bringing into the state of liquor except for the town agents, who are legally authorized to sell. The state of Vermont is mainly rural. It has a population of 332,442.

The state is evidently committed to the continuance of the law. Bills proposing high license and local option as a substitute for the prohibitory law were introduced into the legislature in the year 1888 and 1890, but in both cases they were rejected by large majorities.

The following statements of prominent citizens are submitted, being all the testimony that your commissioner has been able to get. They are statements made in reply to inquiries made in 1890.

Hon. Frank Plumley, United States district attorney for Vermont, wrote :—"I am glad, as a friend of prohibition, that the license advocates have unmasked and are to wage open warfare. Their arguments cannot stand the broad light of publicity, and are easily punctured by the facts concerning the beneficence of prohibition exhibited in our state. Take the state as a body : every year shows improvement, both in the vigor of enforcement of the law and the decreased intemperance and resulting crime."

George W. Hooker, president of the Vermont state agricultural society and member of the Republican national committee, wrote :—"Prohibition is the best law for Vermont, and I base my belief on the almost entire absence of crime. There is no law better enforced in Vermont, and it can be enforced everywhere if public sentiment so orders."

M. H. Buckham, president of the Vermont state university, wrote :—"I wish I was half as sure of the triumph of other good causes as I am that the people of Vermont will maintain and improve, and still more effectually carry out, the present system by which the selling of intoxicating drink, if not absolutely prohibited, is to a great degree restricted and restrained."

On the floor of the House of Representatives, in the United

States Congress, Hon. Charles S. Joyce, member of congress for Vermont, some time ago made a speech in which he said:—

“The history of the temperance movement in my own state, while it has not been all that we could wish, yet has been such that all good men have been inclined to thank God and take courage. Vermont passed a prohibitory law in 1852, and she has been strengthening it and making it more effective ever since. In the main it has been fairly and wisely executed. It has always been sustained by a sound and healthy public sentiment upon the subject and in my opinion there never has been a moment since its passage when it stood so strong and firm in the good sense and hearts of the people as it does to-day. That it has, in connection with the moral sentiment of the people, had the effect to greatly diminish the sale and use of intoxicating liquors in our state, no man who has examined the figures and who has been long acquainted with our people and their habits will deny.”

The following statements have been made by different governors:—

Governor Peck, who has also been judge of the supreme court, said:—“In some parts of the state there has been a laxity in enforcing it, but in other parts of the state it has been thoroughly enforced, and there it has driven the traffic out. * * *

“I think the law is educating the people, and that a much larger number will now support it than when it was adopted; in fact, the opposition is dying out. All the changes in the law have been in the direction of greater stringency. In attending court for ten years I do not remember to have seen a drunken man.”

Governor Convers said:—“I think the law itself educates and advances public sentiment in favor of temperance. There is no question about the decrease in the consumption of liquor. I speak from personal knowledge, having always lived in the state. I live in Woodstock, sixty miles from here, and there is no man having the least regard for himself would admit selling rum, even though no penalty attached to it.”

Hon. W. B. Arcourt, associate justice for Washington county, said:—“Public sentiment is growing stronger in favor of the law every year.”

NORTH DAKOTA AND SOUTH DAKOTA.

The appendix to the report contains copies of some merely formal correspondence with officials in North Dakota and South Dakota. In connection with this correspondence there seems to have been mailed to the Commission copies of reports of penitentiaries and state charities, but the commissioners have not reported anything relating to this information. Here again we are

confined entirely to what is to be found in the minority report, which deals with the States in the following paragraphs :—

North and South Dakota are new states. Prohibition of the liquor traffic was made a part of their original constitutions. Their first legislatures (in 1890) enacted laws in accordance with and for the enforcement of the prohibitory provisions of the constitutions.

In neither of these states was any examination made by the Commission. It has not been possible to get much statistical information ; and whatever figures have been obtained are too new to be of any value, especially as there are no earlier statistics with which to compare them. Your commissioner has endeavored to get as reliable information as possible of a general character, and presents the results of enquiries made.

In North Dakota, Mr. Charles A. Pollock, one of the foremost lawyers of the state, made careful inquiry of prominent men throughout the state, and received from them strong testimony to the effect that the prohibitory law is effective.

Rev. H. C. Simmons, a home mission superintendent, whose duties take him into every part of the state, says : "I have travelled over the state for 10 years, and have carefully observed the workings of both policies (license and prohibition). Everywhere is seen the advantage of prohibition over the license system. While some young men are undoubtedly led into drinking habits by those who bring in liquor in jugs and bottles, their number is insignificant compared with those who are drawn into drinking habits by the saloons."

Rev. E. H. Stickney, field secretary of the Sunday School Union and Publishing Society, who has travelled extensively in the state, says : "The open saloon is gone. With a few solitary exceptions, liquor is nowhere openly sold. These places will be reached before long. With the overthrow of the saloon the treating habit is broken up. Thus a great temptation is taken away from the young men—to meet together, play for the drinks, and take the first glass. This is true not only in the state generally, but also in such border towns as Fargo and Grand Forks. But very little liquor is sold in the state. In the small hours of the night, in some out-of-the-way place, to a certain faithful few who are confirmed toppers, liquor is undoubtedly sold. Druggists, to a certain extent, abuse their privilege in this respect. Men do, in certain cases, perjure themselves for a drink. These, however, are the exceptions, not the rule. The man who dreads the intoxicating cup, and yet has that terrible appetite, is tempted but little compared with what he once was."

Similar testimony is given by the officials of the Baptist, Methodist, Presbyterian and Lutheran churches,—to which may be added that of a prominent business man, Mr. W. H. White, who has been a resident for nearly 20 years. He says : "My travels

have been extensive within the agricultural districts of the state, and I have found that farmers have been enabled to successfully prosecute their fall work to much better advantage, at greatly reduced expense ; that merchants have sold more goods and made more collections ; crime has been less ; elections more peaceable, and prosperity and content more general, since the saloons have been closed ; and the towns are not made a rendezvous for the rough element attracted to them, in the fall, by whiskey. These facts are so well known by the farmers and merchants that they favor prohibition, if on no other ground than a purely financial one."

Of South Dakota, less information is at hand. "The Farmer," a paper published in Huron, South Dakota, in its issue of August 15, 1893, said: "Notwithstanding the efforts of liquor dealers, drunkenness has been almost entirely wiped out. Many a moderate drinker has quit the habit and above all, a host of young men have started on a sober and industrious career under three years' influence of so-called prohibition."

It is stated that the drink bill of the two Dakotas dropped off 70 per cent. the first year under prohibition, and that it has been growing less each year since. "And no one has been made the poorer thereby but the saloon-keepers, brewers and distillers."

CHAPTER IX.

THE WORKING OF THE MAINE LAW.

Special interest attaches to the Commission's report upon Maine, the state in which the experiment of prohibition was first tried, and in which prohibitory law still holds its ground. As might have been expected, both the majority and minority reports deal extensively with the facts secured regarding the working of the Maine law. It will be necessary to condense these statements and conclusions.

Prohibition was first enacted in Maine in 1851. It was repealed in 1856. In 1858 the electorate of the state voted on the choice between license and prohibition. A substantial majority was recorded in favor of the latter method. Prohibition came again into operation and still remains. The state has thus had thirty-six years of continuous experience of prohibition. The course taken by the Commission is thus summarised :—

The time spent in the state was distributed as follows : Eight days in Portland, the largest city ; one day in Augusta, the capital ; three days in Bangor, the city in which there is admittedly more flagrant violation of the law than in any other part of the state ; one day in Pittsfield ; less than half a day in Winthrop ; about three-fourths of a day in Lewiston ; an hour in Auburn, and two or three hours in Biddeford. At the several sittings of the Commission in the state 88 witnesses were heard. They were not selected because they were known to be favorable to prohibition, except perhaps a few suggested by Mr. J. H. Carson, who accompanied the Commission as the representative of the prohibitionists of Canada ; Mr. Kribs, the representative of the liquor interests of Canada, naming, at least, an equal number, of known opponents to prohibition. Mention must also be made of the fact that besides the witnesses heard in the state, evidence was had

from citizens of Maine at the sitting of the Commission in St. Stephen, N.B., and also from General Neal Dow at a sitting of the Commission in Montreal.

EVIDENCE OF OPPONENTS OF THE LAW.

Both reports are extensive. That of the majority loses much of its value from the fact that it is manifestly a laboured attempt to discredit prohibition. It devotes a great deal of space to lengthy quotations from the evidence of those witnesses who were opposed to prohibition, and to extracts from the evidence of other witnesses, which, taken apart from their connection, might be construed as unfavourable. In this work the commissioners have carefully kept out of sight the important fact that many of those who were opposed to the Maine law testified that it had materially decreased the liquor traffic.

A reading of the majority report alone would leave the impression that most of the witnesses believed the law to be mischievous. Instead of this the evidence taken as a whole is an overwhelming endorsement of the law, very many of those who did not favor it admitting that in the rural parts of the state it had produced highly beneficial results.

A strong case in favor of the measure could readily be made out exclusively from the evidence of those who are quoted by the Commission as being hostile. The minority report presents some very interesting facts relating to this matter in the following terms:—

Of 88 witnesses heard in the state, 22 expressed opinions more or less unfavorable to prohibition. Nineteen of the twenty-two said they had never regarded the law with favor, and had always voted against it when opportunity offered. The other 3 expressed opposition to prohibition only to the extent that they favor a system of rigid license for large cities, with a local prohibition option proviso. It is worthy of note, also, that nearly every one of the 22 stated that prohibition had done good in the state at large, and not one favored the repeal of the law as applied to the whole state. The following quotations are from the evidence of these gentlemen (those counted as unfavorable to prohibition.)

Ex-Mayor Newell, of Lewiston, said: "I think the prohibitory law, so far as the county portion of the state is concerned, is a success."

Mayor Staples, of Biddeford, said: "I should say that one effect of the prohibitory law has been to prevent the sale of liquor

in small villages. There is not much, if any, liquor sold in villages throughout the country."

Mayor Beal, of Bangor, said: "My knowledge of the rural districts, so far as it goes, is that the prohibitory law is enforced in them, and that it works well."

Mr. P. H. Brown, Portland, said: "I may say that there is less drinking amongst boys than there was before—that is, 25 or 30 years ago, when I was one of them myself. . . . I think it (the prohibitory law) has had a good effect in the country districts. It has stopped the bar room loafer, who used to be a very prominent element in our Maine towns and in New England . . . I should say without hesitation that the law has done extremely well for our country towns."

Sheriff Norton, of Kennebec county, said: "Outside of the cities there is very little liquor sold." And in the cities, he said, "it has had a tendency to check the sale."

Mr. E. B. Winslow, Portland, said: "I can only judge from my travels about the state. In the country districts I think the prohibitory law has done a great deal of good. . . . In the country towns the man who goes into the liquor business is very soon found out, and he is punished and the sale is stopped. We call them country places, but that includes all large districts as well as the central villages and towns."

Hon. C. F. Libby, who is one of the strongest opponents of prohibition in the state, said: "I do not question the possibility of restricting the liquor traffic. I realize its evils as much as any one. The prohibitory law does restrict the traffic, but it does not accomplish what it purports to do. . . . I do not say that the prohibitory law does not accomplish anything in the sparser towns, but when you come to deal with this evil in thickly settled communities, especially where there is a foreign element, the position is different."

Hon. George P. Westcott, Portland, said: "As I understand it, there has been less drunkenness in the country districts, from the fact that it is more difficult to get rum. Public sentiment in country districts is against rum, and men do not drink so much there as they formerly did. Some men are good temperance men so long as temptation is kept away from them, but when temptation is brought before them they cannot stand it. In the country districts I think the law has been efficient in keeping away the temptation, and they have made temperance men because they made it impracticable to get rum in these districts."

Mr. B. C. Stone, clerk of the Supreme Court, said the general effect of the prohibitory law in the state has been good. He said: "I think that throughout our country towns prohibition has worked nicely. Where liquor used to be sold indiscriminately no liquor is sold there at all now. Of course it is a difficult matter to enforce prohibition in towns of a large size."

Similar statements might be quoted from the evidence of others of the witnesses who, for one reason or other, do not approve of

the prohibitory law. The foregoing, however, suffice to show that even the opponents of prohibition admit that its effects have been beneficial in the state as a whole.

DRUNKENNESS AND CRIME.

The majority report contains many tables of statistics comparing the records of drunkenness and crime in the State of Maine with those of Canada. These tables occupy a great deal of space, but are very indefinite and practically valueless. The most satisfactory inference, from their view of the question, that the majority of the commissioners could obtain, being expressed in the following paragraph :—

It is not claimed that these are exact statistics ; in fact, exact statistics are not obtainable, but they indicate very clearly that the vice of drunkenness has not been eradicated by the operation of the prohibitory law in the State of Maine, and that the results obtained in that direction, after a lengthened experience under very favorable conditions, are not more satisfactory than they are under the license system prevailing in the Dominion.

The majority report also omits to mention evidence making it clear that the method of dealing with the offence of drunkenness in the State of Maine is such as to make the police record larger than it would be under the method usual in other localities. The following quotations from the minority report make this very clear :—

In any comparison of police statistics of Maine with those of any other state, or with those of Canada or any part of it, due consideration must be given to certain facts which appear to be peculiar to Maine. Men are arrested for drunkenness in Maine who would scarcely be noticed in many cities of the other states and of Canada. On this point much inquiry was made. The following quotations from the evidence show what the rule is.

Mayor Baxter, of Portland, said : “ The police are ordered if they see a man intoxicated to bring him to the station. At the present time if a man gets intoxicated in one of these places where they sell liquor, they immediately put him out of doors where he is seen. They will not allow him to lie around there, because they are afraid. So every drunken man gets out on the streets and is taken up.”

Mrs. Stevens, of the W.C.T.U , said : “ Men and women both are arrested here (Portland) under conditions that they would not be arrested under in a licensed city. There are many more arrests, according to the number who get drunk, than there are in a license city.”

Police Judge Andrews, Augusta, said : " We are strict here in arresting men. If a man steps cross-legged he is taken care of. All these cases (drunks) are carefully looked after by our police."

Mr. S. L. Carleton, one of Portland's oldest citizens, said he would expect the arrests for drunkenness in Halifax and St. John and other license cities to be less than in Portland. "When a man is drunk in Portland he is an eyesore, and everybody expects him arrested, and he is arrested. It is not so in license cities."

Insane people, truants from school and paupers are also included in the record of arrests, swelling the number considerably. It is clear that in comparing such police records with those of cities in other states, and also with such Canadian cities as Montreal, Toronto, Quebec, Hamilton, St. John and Halifax—where entirely different methods are in vogue—the foregoing facts must be kept in mind.

According to the testimony of the police and police court officials in Portland, all arrests appear in the court record, including those persons who are discharged without being taken before the court. Of 1,313 cases of arrests in Portland, in 1892, 718 were discharged without being taken before the court. Cases occur in which a man arrested for drunkenness is tried also for two or three other offences, for disturbance of the peace, for resisting the police, etc., and the court record shows all the offences. Then, in making a summary of the court record at the end of the year, all these related offences, while given also in detail, are grouped under the head of drunkenness. For example, in the Portland City Marshall's report for 1892, 874 are grouped under the general head of drunkenness, while an accompanying classification of offences shows that the number really charged with drunkenness was 502. The evidence of police officials shows that the number of persons arrested for drunkenness is not nearly so large as even the last quoted figures would indicate. Mr. Harmon, who has been connected with the police department of Portland for more than twenty years, told the Commission that he had noticed in recent years that the prisoners for drunkenness "are the same old crowd." "Take 100 men out of the city and lock them up, and there would be few drunks on the streets."

The important fact, that notwithstanding all the difficulties in its way, the Maine law has been effective in lessening drunkenness and crime is strikingly shown by the facts which have been collected by Rev. Dr. McLeod, and presented in his report, some of which are as follows :—

To know exactly what prohibition has done in Maine, it is necessary to compare the condition of the state prior to the enactment of the prohibitory law with its conditions since the

enforcement of prohibition. Ex-Governor Dingley has done this in the following statement :

"In 1855 there were 10,000 persons (one out of every forty-five of the population) accustomed to get beastly drunk ; there were 200 deaths from delirium tremens annually (equivalent to 300 now); there were 1,500 paupers (equivalent to 2,200 now) made thus by drink ; there were 300 convicts in the state prison and jails (equivalent to 450 now) ; and intemperance was destroying a large proportion of the inhabitants and of the homes throughout the state. Now not one in 300 of the population is a drunkard—not one-sixth as many ; the deaths from delirium tremens annually are not 50 ; and criminals and paupers (not including rum-sellers) are largely reduced, notwithstanding the great influx of foreigners and tramps."

Maine's convict record is lower than that of any other state in the union, and much lower than that of Canada. And its tendency is steadily downward. The state prison report for 1892 says : "The number of convicts has not been so small for many years. The average this year is sixteen less than last year."

This low record would be still lower but that capital punishment was abolished in Maine many years ago, since which time, those who in most other states and in Canada would have been executed, are life convicts in the state prison. There are now forty of them. Deducting these, a comparison of the records of Canada and Maine shows that Maine has, in proportion to population, little more than half as many convicts as Canada. Canada in 1892 had one convict for every 3,989 of population. Maine, in the same year, had one convict for every 6,959 of population.

Mrs. L. N. Stevens is the corresponding secretary for Maine in the national conference of charities and correction, and has for several years given much attention to this subject, with specially favorable opportunities of becoming acquainted with the actual facts. When she appeared before the Commission she had just returned from the Chicago conference, where she had reported the charitable societies, the correction societies, and the jails and prisons of the state. She said she had been able to report 57 Maine towns which have neither an almshouse or a single pauper. She did not get her statistics from the census, but by writing and personal investigation. She said : "I wrote to every town, and I also visited every jail and got statistics direct from every jail. I know that we have paupers whether we have a prohibitory law or not, but I believe that the prohibitory law lessens pauperism. Certainly in three-quarters of the towns in the state of Maine no liquor is sold, and I have seen young men and young women who say they have never seen a drunken man."

ILLICIT LIQUOR SELLING.

It is not denied that liquor is sold in the state of Maine, and in some of the large cities where the authorities do not

favor the prohibitory law, that law is frequently violated. Notwithstanding this fact the other fact still remains that the law generally accomplishes good and meets with the approval of the people at large.

The population of the state at the time of last census was 661,086. There are in it 20 cities having an aggregate population of 195,000. Over seventy per cent. of the state's population is in rural districts, villages and small towns. Many persons declare that in fully three-fourths of the state the prohibitory law is well enforced and the effects are most beneficial.

Enforcement is most difficult in the cities of Portland, Lewiston, Bangor and Biddeford. The minority report sums up the facts regarding these places in the following terms :—

Portland.—Portland is a seaport, and has the class of population peculiar to every seaport. Of those who offend against the law, Judge Gould says :—"Ninety per cent. of those charged with liquor selling are foreign born or of foreign parentage ; and 70 per cent. of the drunkards are foreign." And yet here was strong testimony to the effect that, notwithstanding violations of the law and the necessity of constant vigilance on the part of the officers to prevent flagrant violation, prohibition in Portland has been as effectual as could be expected, and has resulted in much benefit to the city.

Lewiston.—Lewiston has the difficulty that to a large section of its present population the prohibitory law is distasteful. Within a few years there has been a large influx of French Canadians, who find employment in the factories of the city. Since 1890 the French population has increased 4,000. Fully one-half of the population of the city is foreign born, one-third of the whole being French.

Mr. Newell, an ex-mayor of Lewiston, referring to this, told the Commission that :—"The French and Irish people look at the subject of selling rum different from what a Yankee does, who is raised in the country. It is absolutely impossible to prevent these people from selling rum, educated as they have been, they see no reason why, if they want a glass of liquor, they should not take it. In Auburn now, there are no French people, there are few Irish people, and most of the people are American born." He added, "There is very little liquor selling in Auburn."

The deputy city marshal, himself a Frenchman, said :—"The arrests for drunkenness last year were half Irish, one-fourth American and the balance French and German."

But, despite the difficulty explained, the burden of the testimony given in Lewiston is to the effect that liquor selling is much

hampered, and that good results follow. Even those witnesses who were least favorable to the law frankly admitted that good had been done by what they regarded as very imperfect prohibition.

To the foregoing may be added the testimony of Senator Frye. In a letter from Lewiston in the autumn of 1891, referring to the state fair then being held there, he wrote:—"Four days of the fair have now gone. There is an immense crowd here. Not a liquor shop to be found; not the slightest sign of gambling; and I have not yet seen a drunken man, notwithstanding tens of thousands of people are present."

Biddeford.—Biddeford has the same difficulty of population as Lewiston. It is, besides, very near to Boston, which makes violation of the law much easier. The mayor of the city told the Commission that there is no open sale of liquor; whatever sale there is, is "what we call the bottle and kitchen business." And the city marshall said, "In justice to Biddeford, I should say there is as little liquor sold here as in any city in the state. Under the system of prohibition there is much less sale of liquor than there would be under license."

Bangor.—Bangor has the distinction of being the only place in the state in which there is anything like open violation of the prohibitory law. The witnesses examined there were in substantial agreement as to the causes of the weak enforcement of the law. The situation, as they view it, was very well stated by Judge Vose, who said:—"Public sentiment is all right, but we are so nearly divided in politics that it is difficult to enforce it. It is well settled that the policy of the Republicans is and has always been to support the prohibitory law. The policy of the Democratic party has always been to oppose it. We are so nearly divided in politics that if, as Republicans, we should undertake to enforce the prohibitory law strenuously, the result would be that the administration would pass into the hands of the other party, and then prohibition would go by the board at once. . . . It would be no advantage to prohibition to have the political power thrown over to a party that does not believe in prohibition. If the Democrats had power, they would have a license law or some other law which might lead to free rum."

In support of the statement that public sentiment in Bangor is in favor of prohibition, the fact is cited that the people, when voting untrammelled by party exigencies, gave a majority in favor of the prohibitory amendment to the constitution of the state.

Bangor is the headquarters of the lumber business of eastern Maine. A great many lumbermen congregate there and remain during a considerable portion of each year; many of them are given to drink and are free spenders of money. It is also stated in the evidence that Bangor has more sailors than any other town in the state; and during the winter a large number of "ice-men" live there.

As showing the effects of the lax enforcement of the law, attention is directed to the fact that the ratio of drunkenness and offences and crimes of all kinds is larger in Bangor than in any other part of the state. It is, also, suggestive, that of 50 poor debtors confined in the jails of the state in 1892, Bangor contributed nearly one-fourth of the whole number. In the same year Portland, the largest city, sent 213 men to jail for drunkenness, and Bangor, with less than half the population of Portland, sent 456.

Arguments against prohibition in general, based upon the condition of affairs in the cities mentioned, are manifestly unfair, in view of the overwhelming evidence of the beneficial effects of prohibition in other parts of the State.

A common method of attempting to show that the Maine law is a failure is to cite the tricks adopted by sellers and buyers to screen their lawlessness. In reality such stratagems are evidence of the value of the law and its success in lessening liquor selling. One witness said :—

It is almost as difficult for many persons to get liquor here as it would be for them to work themselves into a masonic or odd-fellow's lodge. They have got to be known, and the sellers have got to understand that they are perfectly safe in selling to them.

Rev. Dr. Blanchard related his experience in endeavoring to locate a place of sale in Portland, having been told that anyone could get liquor there. He said :—

We got there and went to the door but there was no response. We got to a little room where there was a counter and nothing else, and close by the counter there was a door and in the door a kind of an opening, and evidently any person who was in there could take observations so as to know who we were. Of course, when they saw the marshal and myself no one was visible inside and there was nothing to be seen there.

The following quotations are from the evidence of Napoleon Lajeunesse, deputy marshal of the city of Lewiston :—

Ques.—How openly do they sell liquor here? *Ans.*—Not exactly as openly as they do in Montreal. They have no open bars here the same as they have there. They have bars here at the back of the store, but they have what they call strong rooms, with thick doors about six or seven inches thick, and bars on the door; they generally know their customers pretty well, and they open the door for them when they want a drink. They have a little hole to peep through, and if they know their man they will open the door for him and let him in, and then

they will pull down the bars on the door. Sometimes the sheriff comes in to search, and while he is trying to force the strong door the man has time to take his liquor and spill it into the sink, and, of course, when the sheriff comes inside the room he does not find anything; sometimes he does and sometimes he does not. The moment the retailer gets the liquor in his hands, he takes care of it, and he is supposed to hide it or sell it. Sometimes they are caught in the act. When these retailers get the liquor they have connection between their stores and the main sewer, and if the sheriffs are going around and they expect to be caught, they will empty the liquor into the sewer.

THE STATE AGENCY.

In Chapter 5 of Part II, will be found a summary of the Maine law showing that the sale of liquor for certain permitted purposes is carried on by special authorized agents. This system of agency has been found liable to abuse, and lax administration in relation to it sometimes impedes the success that would otherwise attend the prohibitory law. Public opinion against it is growing however, as is forcibly expressed in the following paragraph from Governor Cleaves' address to the legislature, June 5th, 1895, quoted in the minority report:—

With the continued advance of the cause of temperance in our state, and under the influence of a strong public sentiment, aroused and strengthened by our various temperance and christian organizations, the city and town agencies have been gradually reduced; and in 1894, in the four hundred and thirty-eight cities and towns in the state, only twenty-three agencies were in existence.

OPINIONS OF CLERGYMEN.

Seven clergymen were examined by the Commission. They were not all friendly to prohibition, yet all of them unhesitatingly admitted that it had been effective in lessening intemperance. Extracts from their statements are to be found in the following paragraphs:—

Bishop Neely, of the Protestant Episcopal church, has been a resident of Portland for several years, but, he said, he had not made an examination into the workings of the prohibitory law either in the city or in the state at large and could only give an impression. He felt, he said, that the law is not entirely effective, adding: "I would be far from saying that it has had no good effect. I think it has. I think it has had more or less a good effect, but how much I cannot say because I do not know

what the condition of things was before the law. It must have had a good effect. In the country parts I do not think it has been detrimental; on the contrary it has been advantageous, and wherever public sentiment would sustain it I have no doubt it would do good."

Bishop Healy, Roman Catholic, was visited at his residence. He is not, nor has he ever been in favor of prohibition. His views and the reasons for them are stated at length in his evidence. He said, "In our little villages and country places where public sentiment maintains the prohibition law it has done a great deal of good. It has done away with the village taverns and loafers."

Rev. Mr. Whitcomb, Free Baptist, is principal of the Maine state Central Institute, situated at Pittsfield. He has resided in the town twelve years, during which time the capacity of the woollen mills and other industries there has been considerably increased, increasing the number of their employees. He said: "It (drinking) has decreased vastly since my residence here. Those who come to our village, especially within the last few years, have remarked with a good deal of surprise, upon the little sign of drinking in the place. It is very rare to see a drunken man here, and when a man is found drunk in the streets, it most often turns out that he brought his liquor with him. Our own people do not go in for liquor. . . . I am confident that the honest prohibition sentiment has increased. It is in a healthier condition now than I have ever known it, because we have proved that under it our people are prospering. Temperance sentiment has increased, morality has increased and religion has increased. Religion has a broader flow here than it had ten years ago."

Rev. Dr. Randall, Methodist, is, perhaps, the oldest minister in Maine. He has lived in the state 65 years, and was in the active work of the ministry 55 years. He said: "Intemperance prevailed to a great extent before the enactment of the prohibitory law. Nearly everybody sold liquor then, restaurants and hotel-keepers. The condition of Maine was at that time what might be expected where intemperance prevailed, but very soon after the enactment of the prohibitory law, a change of things took place. The enforcement of the law stopped the sale of intoxicating liquors in the country towns and to a very large extent in the cities. We had I think three distilleries in Portland, and I do not know but we had more, before the prohibitory law was enacted. These were soon obliged to shut up and the enforcement of the prohibitory law made a very great change in the habits and morals of the people. . . . In three or four or five cities in the state the law is not so generally enforced as it should be, but where it is enforced the effects are very noticeable.

Rev. Dr. Blanchard, Congregationalist, has resided eleven years in Portland. His church is, numerically, one of the largest Protestant churches in the city. He told the Commission that he

is "not a prohibitionist in the sense that General Neal Dow is." He is opposed to saloons because they invite men to drink. He thinks the "government should have charge of so dangerous a traffic," and he inclines to favor some such system as that of Norway or South Carolina.

Of the working and effects of the prohibitory law he said :—

"My general impression is this, that the liquor saloon is more and more restricted and that there is a growing sentiment against the use of liquor because of these restrictions and because of the obloquy cast upon the man who sells liquor. You gentlemen can hardly understand it who live in places where liquor is sold.

"My own impression is that as a result of this law there is a steady decrease in the use of liquor, and a deepening conviction on the part of the community that it is a dangerous thing to have liquor used . . . When I know how young men of our small towns are protected from liquor as they were not in former years, I say that there is a great advantage in the prohibitory law in protecting the young men as they grow up in the country districts. And the young men of the state, taken as a whole, clerks and young business men, accountants and the like, are a sober class. They have more or less an abhorrence of the drink habit and I cannot help thinking after all my criticism of the prohibitory law that it has done a good deal to educate these young men to abhor liquor."

Rev. S. F. Pierson, for many years engaged in the city mission work, having been superintendent of Portland City Mission since 1878, is well acquainted with every part of the state. He has visited and lectured in every town of 1,000 people from Biddeford to Aroostook, and has closely observed the operations of the prohibitory law. In illustration of the lessening sale of liquors he said :—"There was an old gentleman here a few days ago who drove one of the early stages from Portland to Lewiston, thirty-seven miles. He told me that forty-five years ago there were forty-three places on the road where he could stop with his stage, either at the tavern or grocery store, or dry goods store, and procure all the liquor that any of his passengers might want at three cents a glass, and they could help themselves at that price. After being absent from the city in Minnesota for a number of years, he wanted to see what the effect of the law was, and a friend and himself took a team in Portland and drove to Lewiston, and he said he was unable to obtain one drop of liquor from the time he left this city until he reached Auburn."

Of the educative effects of the outlawry of the liquor traffic on the young people of the state he said : "At our camp at Sebago Lake, where it was presumed 10,000 people were assembled, I lectured on 'Men Turned Inside Out,' or the effect of alcohol internally and externally. That lecture was delivered to the juveniles. There were five or six thousand children eligible for membership. I asked the question, How many under fifteen years of age in that audience had ever seen a man who was so

drunk that he lay down and was not able to control himself and rise, and out of the whole multitude there was but one who held up his hand. That is the educative effect, absolutely, of prohibition in our state."

Rev. Matt. S. Hughes is pastor of the largest Methodist Episcopal church in Portland. It is the largest Protestant congregation in the state. Having lived in licensed towns he was able to compare the conditions under license and prohibition, and his testimony in favor of the latter was strong.

Of prohibition in Portland he said: "I think it is a decided benefit to the city. My reasons for saying that grow out of my experience as a clergyman. It struck me as being a peculiar thing that under the present system here I did not know of a family in my church where there was an intemperate or drunken son. My church is the largest Methodist Episcopal church in the city, out of seven or eight. It is the largest Protestant church in the state of Maine. When I say that here in the city of Portland, with all the drawbacks that there are to the enforcement of the law, that I do not know of a family in my church where there is a drunken son, it seems to me a most remarkable thing. It is estimated, so the committee tell me, that we have 500 families who have church privileges in my parish, and since I have been here I have not been called into a home on account of liquor."

He said that he had intimate knowledge not only of the young men of his congregation but of the young men of the city generally, and added, "I have not, amongst the young men of my acquaintance one whom I would term an intemperate young man, and I do not know of one who is addicted even to the moderate use of liquors. I attend our commercial travellers' banquet and a great many banquets in the course of the winter. I belong to the Masonic fraternity. I am a thirty-two degree Mason and a Knight Templar, and I know the class of men you usually find around such places as these. There is scarcely any kind of an association of our city with which I am not more or less familiar. I may add that I make it a point to stand on the same ground on which other men stand, and I have given you the result of my observation. I have a Sunday school of 950 scholars, and I never have had any difficulty in any way in my school on account of liquor.

OTHER WITNESSES.

Three fourths of the witnesses heard by the Commission unhesitatingly endorsed the prohibitory law as a blessing to the state. The following extracts quoted by Dr. McLeod, from the evidence of a few of these may be regarded as representative of all the views expressed and their reasons for them,

Sheriff Cram, of Cumberland county, which includes the city of Portland, being asked if the law benefited the state, said :—

Most decidedly, and I will tell you why. I was born 33 miles out of the city, in the little town of Baldwin, about the time that the first Maine law was enacted. Prior to that in this little town there were something like six taverns where liquor was sold in large quantities ; and where you would find one of these houses, you would find the neighborhood very poor. Knowing this country all my life, and passing through it recently I could see that no liquor was sold there now, and the state of things was very much better. In fact I may say that, comparatively speaking, there is no liquor sold in any of these small towns. You would not in some of them be able to buy a pint of any kind of hard liquor for a large sum of money. You might go through ten of these towns in the northern part of this county and not be able to get one single pint of liquor, whereas in the little town of Baldwin, before the law, it was sold by barrels, hogsheads and puncheons . . . There is a great improvement in their condition. In the place I speak of, at that time, land was new and it was a good agricultural portion of the county. They had timber to sell and various things on the farm which produced an income ; the land produced wheat, rye, oats, barley, potatoes and Indian corn in abundance. We had no weevil in the wheat then and things were flourishing, but, nevertheless, the houses around there were not painted, the windows were broken, and the people wore old clothes ; while on the main road now you will see newly painted houses and the people looking thrifty and clean. In this respect I noticed a change which I can hardly describe. The Maine law may have done it, or it may not have done it, but it is the only way I have to account for it.

Mayor Baxter, of Portland, who carries on one of the largest businesses in the city, and is one of the largest property owners, said :—

I think the prohibitory law has done a great deal of good in this city. It has rendered the traffic in intoxicants disreputable, and no respectable men are inclined to undertake the business. Of course it does not prevent drunkenness, for men who are inclined to drink will get it in some way, but it has driven the liquor traffic into out of the way and disreputable places. There are no open saloons in Portland. There are places where liquor is to be found, but it is sold in secret and I should say almost altogether from the pocket. . . .

I can give you a case of one young man who came out here who drank to excess in England, and he came here because there was no liquor sold. He has not the temptation now of saloons and he has become very prosperous in this city. He told me he came here simply because he heard of a prohibitory law.

Mr. S. L. Carleton, who has lived in Portland forty-eight years, speaking of the condition of the city and state before prohibition, said :—

Up and down this very street there were rum shops wholesale and retail. Every grocery store in the state of Maine was a rumshop. We had one little town called Westbrook, and the like of it in any state was not to be found for poverty. They hauled their lumber in here from day to day and sold it, and they brought back in return hogsheads and barrels of rum and gin and brandy, and they were consequently badly off and it was a poor miserable place. To-day, under the prohibitory law, it is one of the most prosperous places in this state or in any other state.

Mr. A. T. Adams, who has lived in the state all his life, has been in nearly every part of it, and has forty years memory of its history, said :—

There can be no question, I think, if you were to ask the people who have lived in the state right along, you would find three-fourths of the people would agree that, while the prohibitory law has not totally prohibited liquor, it has lessened the sales of liquor very much. I heard a sheriff say, a short time ago, that it had decreased his business in the last decade more than one third, showing that instead of the law becoming less effective, it is more effective.

Mr. A. L. Bangs, Augusta, a business man of wide experience, and a close observer, and who was at one time in favor of a high license system, said :—

I have been in active business since 1865 employing men. I have visited all parts of the state in the line of my business, coming into contact in a business way with all parties in all parts of the state. I also come into contact with people in Massachusetts, Connecticut, New York and Rhode Island once a month at least. I have had an opportunity of seeing the working of the prohibitory law in all parts of the state and to compare it with the license system. There were six months when I stayed continuously in Connecticut under high license.

That the prohibitory law is a benefit to the state of Maine in every possible way you can speak of it, both in regard to its business and from a moral standpoint, there is not any question. I say this because I have come into contact with the people all through the state, and this is especially the case, as you have been told to-night, in the rural districts, from which our best quality of citizens come. The rural population come in and make the best quality of our city population. That population comes in, respects the law and helps to protect it,

J. H. Carson, recording secretary of the Dominion Alliance, who accompanied the Commission in their inquiries in the state, being sworn as a witness, said :—

While not engaged in attendance at the sittings of the Commission I was constantly on the look-out to see if I could discover any place where liquor was being sold. I visited all the hotels, I believe, a large number of restaurants of various classes, cigar and soft drinks shops, drug stores, places where one would naturally expect to find liquor for sale, if any was being sold; and during the whole of my stay in Portland I did not find one place in which I could discover that liquor was being sold.

I was anxious to know where and how the illicit business was done. I asked Mr. Kribs to come with me and show me where liquor was being sold, just to convince me of the truth of his statement. I promised I would make no other use of the information. His reply was "Oh, I don't care to go with you."

Bangor was the only place in Maine in which I was able to find liquor for sale. There open bars were found, but, not in a very attractive form, such as one would find in any licensed place. Party politics in Bangor is the cause of the lack of law enforcement. The two parties are so evenly divided that the liquor sellers combining can defeat the party that attempts to enforce the law against them, and so deals are made, and, as stated by Mayor Beal and others, there exists an understanding between the liquor sellers and the authorities by which the prohibitory law, in a considerable degree, becomes a dead letter.

Pittsfield and Winthrop were the only places visited by the Commission outside the cities. There the advantages of the prohibitory law were very apparent. Not the slightest appearance of liquor or liquor drinking was to be seen, and, although the town of Winthrop was "en fête," it being the fourth of July, I did not see any disturbance or sign of drunkenness any where, and I was particularly observant. From information I received while in Maine, I am perfectly satisfied that, notwithstanding the weakness and defects that there undoubtedly are in the Maine law, it is, in its results, infinitely superior to any system of licensing of which I have any knowledge."

WHAT MANUFACTURERS SAY.

The manufacturing interests of Maine are large and important. In Lewiston and Biddeford there are extensive cotton mills and other manufacturing industries employing some thousands of persons. It was suggested to the Commission, in both these places, that the managers or superintendents of these industries could, doubtless, give valuable evidence; and it is to be regretted that in

neither place were any of them examined. Such employers of labor as were examined testified that prohibition is a benefit both to their employees and to their business.

Mr. R. T. Burroughs, Portland, employs 200 men and boys. He said :—

I know the men who are working with me now and I talk with them. I also talk with manufacturers about their men, and they tell me that they get about five days' work out of their men per week in towns where license prevails. A proportion of their men are supposed to be off about one day of the week on account of drink. I have none of that trouble here. This spring I have had one man who has been away on account of drink, but that is all. It would cost us more to manufacture our goods if we had no prohibitory law. Our profits would be less. . . . I think the wages would be less under a license system. The men would be less competent. We pay a certain amount for the work done, and if the men were not competent to do it they would not get so much money out of it.

Mr. McIlroy, agent of the Winthrop Mill Company, said :—

There is not nearly so much drunkenness as there was 18 or 20 years ago. I do not know any place where liquor can be purchased in the village. I think the prohibitory law has had the effect of promoting temperance in this town.

Colonel C. Wayne, Winthrop, manufacturer of boots and shoes, who has been a member of the legislature and a member of the governor's council, said :—

If there is any (secret) sale of liquor it is in a very limited degree. The people are more temperate than they were twenty years ago. I attribute that largely to the temperance sentiment and to the effects that temperance law has had upon the minds of the people from their own experience and observation of its effects upon the community generally. There is a large gathering outside the hotel here (it was the 4th of July), and you cannot see much intemperance amongst them, or if you have, you have seen what I have not seen. I know the state pretty well, and looking at the prohibitory law, broadly and generally, I believe that the prohibitory law has had a good effect upon the state.

A PERSONAL INQUIRY.

Rev. Dr. McLeod's own statements of the results of his personal observation are well worth careful attention. His statement, with all who know him will be unhesita-

tingly accepted. His examination of the effect of prohibition was critical and close. He says :—

During the Commission's investigations in Maine, the undersigned made as close observations as possible. In the eight days spent in Portland he was about the city a good deal, but saw no saloon or other liquor shop. That sales are made in some places there is no doubt, but that whatever sale goes on is secret is suggestive of the real power of the prohibitory law. Except in Kansas and Iowa, your commissioner had never before been in a city of the same size without seeing saloons as conspicuous and conducting their business as openly as groceries.

A town and a city were visited on the 4th of July. In the former (Winthrop) a large number of people from the surrounding towns and villages and rural districts were assembled to celebrate independence day ; and not a single case of even slight intoxication was noticed.

In the city (Lewiston) the celebration was on a very large scale. Besides the resident population there were several thousands of visitors in the city ; a city official estimated the number at thirty thousand. The commissioners arrived in the afternoon, and were there during the time when, if at all, the effects of drinking during the day would be observable. A tour of the streets and squares, where the people were enjoying the holiday, and amongst the crowds that were witnessing the several features of the day's display, failed to discover the drunkenness and disorder which might be expected amongst so many people on such an occasion. Two drunken men and one somewhat under the influence of drink were seen. There were no cases of arrests before the police court the next morning. The deputy chief of police, in evidence given before the Commission the following day, said three intoxicated persons had been arrested on " the fourth," but they were not residents, and were permitted to leave the city on the late train.

In Pittsfield, Waterville, Augusta, Auburn and Biddeford no signs of either the sale or use of intoxicants were discovered.

HON. NEAL DOW.

Special interest attaches to the evidence of General Neal Dow to whose efforts was largely due the enactment of the Maine Law in the first place. He was examined in the city of Montreal. A few extracts from his testimony are herewith submitted as being both interesting and valuable :—

I suppose there was no state in the union where more liquor was consumed in proportion to the population than in Maine. That arose very largely from the fact of two great industries

being carried on there—one being the lumber trade, which you all know about in Canada, and the other being the fisheries, which you also know about here. The lumbermen were employed in the woods during the winter cutting down the trees, and drink would form a regular part of their rations; and the fishermen had rum as a regular part of their rations. The result was that poverty and pauperism were with the people of Maine. An immense quantity of liquor was consumed there.

There were a great many distilleries in the state; seven of them were in Portland, and two breweries. They made rum from molasses imported in large quantities from the West Indies; they made whiskey from potatoes, and some of them made apple-jack, or brandy, from apples. Now, there is not a distillery or brewery in Maine, and there has not been one for a good many years.

At that time large quantities of West India rum were imported. This rum came to us by the cargo. A great many cargoes were received every year, and it was a regular trade. A large fleet of vessels was regularly employed in the West India trade. They took fish and lumber out and they brought back molasses, which was converted into rum; and also West India rum. Now, there is not one puncheon of rum imported into Maine, and there has not been any imported for very many years.

The result of the change has been this: that while Maine was undoubtedly one of the poorest state in the union in the olden time, it is now one of the most prosperous. The volume of the liquor traffic is greatly reduced. The savings of the people from that traffic are such that the state has become very flourishing.

I know all about our poverty in the olden times. Our industries, aside from fishing and lumbering, were on a very small scale, and our people had not sufficient capital to carry on the trade. I know all about that personally. Our industries have since then very greatly multiplied and extended, and we have abundant capital to carry on all our business, and there is besides a large amount of surplus capital which seeks investment outside of the state. A great deal of Maine capital is all over the country for investment.

Maine has so much changed as to realize the idea of John Bright, who said a good many years ago that "if the evils of intemperance were put away from England, the country would no longer be recognized as the same." That prophecy has proved true in regard to Maine. The whole face of the country has changed. Instead of being poor, as in the olden time, with her houses and churches and meeting-houses and school-houses in a dilapidated condition, as a general rule, no such condition prevails now; all has been changed.

The prohibition law in Maine was enacted in 1851, nearly forty-one years ago. Within six months after the enactment of the law the jails in the counties of Penobscot, Kennebec, Oxford, Franklin and York were almost empty. When I visited York jail, the keeper, as he put the key into the lock, apologized for keeping his hens there. He had no further use for the jail. In regard to

the jail in Cumberland, where I live, and which is a county that has a large population, it had been overcrowded many years, and articles had appeared in the newspapers urging the building of a new jail. I visited the jail within four months of the enactment of the law, and there were only four persons there, three of whom were rumsellers who were there for violations of the law. All this was during the first year of the enforcement of the law, and it was then vigorously enforced. There has been a laxity in the enforcement of the law at different times since.

It is quite safe to say that the quantity of liquor sold in Maine now is not one-twentieth as much as it was before the law was passed. It is quite within the mark to make that statement. Portland is the largest city in the state, and it is within the truth to say that the quantity of liquor sold there now is not one-hundredth of what it was before. We had seven distilleries and two breweries, and we had many cargoes every year from the West Indies, which the people brought over for their own use. Now whatever liquor is sold there, is sold on a very small scale, and on the sly.

We are saving directly and indirectly at least \$24,000,000 every year, which but for this law would be wasted in drink, as it was in olden times. In the old days the people of Maine spent in strong drink the entire value of all their property; now it is far within the truth to say that \$1,000,000 would pay for all the liquor smuggled into Maine and sold in violation of the law. So the saving to the people of Maine has been very great, and has been the means of making the state prosperous, as it was not in the olden days. We expect to achieve still greater success in the future. The liquor sold now is the result of certain deficiencies in the law, and we have been trying to have those deficiencies corrected.

The English law can be enforced much better than the law in Maine. We have not there summary trials and convictions, as in England, and perhaps in Canada, but they are very long trials in the United States. The constitution requires that every man shall be tried by jury, and so when a man is convicted of selling rum he appeals, and there is a delay of a year or two, and I may say that facilities are given for delays. Besides, the courts have discretion in regard to the administration of the law, and as the lawyers press the court so much, the judges are very apt to be lenient in the administration of the law.

The liquor traffic is not entirely excluded from Maine; but it is safe to say that in more than three-fourths of our territory, containing more than three-fourths of the population, the liquor traffic is practically extinguished. In all the rural districts and smaller towns and villages, there are no grog shops and no liquor traffic. A whole generation has grown up without having seen the effects of liquor, and there are men and women who have never seen a drunken man.

BALLOT BOX OPINION.

The residents of Maine who have had forty years' experience of the working of the law ought to be well qualified to judge of its value. It is not going too far to say that the public opinion of the state unhesitatingly endorses the law and that there would be no hope of an attempt to secure its repeal. In the year 1884 a popular vote was taken upon the question of making prohibition not merely statutory but constitutional. To the electorate was submitted a proposal to embody the principle in the fundamental law of the state. The vote upon the prohibitory amendment stood as follows :—

For	70,783
Against	23,811

Majority for prohibition	46,972
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In the year 1895 the advocates of license secured the introduction into the state legislature of a bill for re-submitting this question of constitutional prohibition to the people. A strong campaign was made in its favor, but the proposition was defeated in the legislature by a vote of 114 to 13.

OPINIONS OF STATE GOVERNORS.

The following extracts are taken from statements made by different governors of the state of Maine in their official addresses to the legislature.

Governor Daniel F. Davis, 1880.—Like all other evils intemperance will succumb, at least in part, to true moral force, well directed. It is to be regretted, however, that there are those whom moral forces will not reach. To restrain this class, prohibitory laws have been found necessary. The principle of prohibition has been so long the settled policy of the state, and has been found so useful and effective in suppressing the liquor traffic, that no party or class of men now dare assail it.

Governor Frederick Robie, 1883.—The evidence is unmistakable that a majority of our people favor the policy of prohibition, and there are few localities which do not favor a wise and impartial enforcement of all law relating thereto. There has undoubtedly been a difference of opinion among good and conscientious citizens in regard to the best mode of eradicating intemperance, but there are few who are unwilling to admit that there has been a wonderful change for the better in public sentiment where the law has been rigidly enforced. In a large part of the state, em-

bracing more than three-fourths of our population, the liquor traffic is practically unknown.

Governor Joseph R. Bodwell, 1887.—The situation in the state respecting the law may be briefly and candidly stated. In from three-fourths to four-fifths of the towns of the state, the law is well enforced and has practically abolished the sale of spirituous and malt liquors as a beverage. In the larger cities and towns, on the seaboard and at railway centres, it has been found more difficult to secure perfect compliance with the law, but it can still be said that at very few points in the state is liquor openly sold.

Governor E. C. Burleigh, 1889.—The great evils of the liquor traffic, the pernicious influence of the saloon upon the public morals, and the disorder and crime resulting from intemperance, have rendered restrictive and prohibitory legislation imperatively necessary, in the opinion of a large majority of the people of the state. Both by constitutional provision and by statutory enactments, Maine has permanently prohibited the manufacture and sale of alcoholic liquors, except for medicinal and mechanical purposes. Long experience has demonstrated the wisdom and advantages of this policy.

CONCLUSIONS.

Making due allowance for the extent to which the liquor traffic still lingers in Maine as shown by the evidence of witnesses, and so strongly and fully set out in the majority report of the Royal Commission, and weighing carefully all the circumstances connected with the administration of the law and the results of its enforcement, the conclusions arrived at in the minority report regarding the effectiveness of prohibition in the State of Maine must be admitted to be sound and moderately stated. They are as follows :—

If a diminution of the sale of liquors, the lessening of the many evils which result from such sale, the strengthening of sentiment antagonistic to legalizing the traffic, and the clearly expressed will of the people favorable to prohibition may be regarded as proof of the success of the prohibition system, then your commissioner with all these facts before him, cannot avoid the conviction that the prohibitory law of Maine, despite defects and many infractions, has been, and is a marked success. It has greatly reduced the consumption of liquors in the state ; has created a strong public sentiment against both drinking and selling liquors ; has banished drink shops from fully three-fourths of the state ; has degraded the liquor traffic so that no person with any pretension to respectability thinks of engaging in it ; has restricted illicit liquor selling more effectually than any other system has ever done ; has been attended by peace, plenty and prosperity ; and has commended itself to the favor of the vast majority of the people of the state as a beneficent law, markedly promotive of the public welfare.

CHAPTER X.

PROHIBITION IN IOWA.

A prohibitory law was enacted for the State of Iowa in the year 1855. In 1857 the law was amended so as to permit the manufacture and sale of fermented liquors. This alteration practically broke down the prohibitory law, and the sale of liquor was carried on for a time with little restriction.

In 1882 a prohibitory amendment to the constitution was submitted to a popular vote. This amendment was in the following terms:—

No person shall in the future sell or keep for sale as a beverage any intoxicating liquors whatever, including ale, wine, or beer. The general assembly shall by law prescribe regulations for the enforcement of the prohibition herein contained, and shall thereby provide suitable penalties for violations of the provisions thereof.

In favor of this amendment there were polled 455,436 votes; against it 125,677. Seventy-six counties gave majorities in favor of the amendment; twenty-three gave majorities against it. The courts decided, upon an appeal, that because of a clerical error in the record of the legislative proceedings preliminary to its submission, the amendment had not been legally adopted.

The legislature however, recognized public opinion, and in 1884 enacted a prohibitory law which is still in operation.

The position of Iowa is peculiar. The Mississippi river forms its eastern boundary, and the Missouri a large part of its western boundary. On these rivers are a number of

important towns, in most of which the prohibitory law is not enforced. This is partly owing to the character of the river-going population, and partly to the fact that the local government in these places is in the hands of officers who are strongly hostile to the law.

The prohibitory law was enacted by a Republican legislature. It was, and is opposed by the Democrats. In most cases in which the Democrats are sufficiently strong to control affairs, they place in office liquor-favoring men, who, in defiance of law, deliberately plan for the systematic carrying on of the liquor traffic. An illustration will show how this is done.

AUTHORIZED LAW-BREAKING.

The commissioners began their Iowa inquiry in the city of Council Bluffs, with a population of about 35,000. They began work by visiting two wide-open saloons and taking the evidence of the proprietors. Later on city officials were interviewed. All readily avowed the following facts:—

The city had, running with the recognition of the authorities, seventy-eight so-called "disorderly houses," that is, places where liquor was openly sold. On the first day of each month a notice was sent by the police authorities to each liquor seller, that there was an information and a warrant against him for liquor selling. The liquor seller at once repaired to the police office, paid fifty dollars as security for his appearance next day in court, with two dollars and ten cents additional, as costs. The offender failed to appear, the security was forfeited, and the liquor seller was not interfered with till the first of the following month.

It will thus be seen that these men were practically authorized to break the law on payment of a monthly fine of fifty-two dollars and ten cents. For the convenience of the liquor sellers they were given ten days from the commencement of each month in which to respond to the action of the authorities. If anyone failed to do as expected, the prohibitory law would be enforced against him. It may be mentioned in passing that other immoral institutions were treated in precisely the same way.

TOWN AND COUNTRY.

The inquiry in Iowa was conducted by Judge McDonald and Dr. McLeod. They visited the cities of Council Bluffs, Des Moines and Cedar Rapids. Judge McDonald also made inquiry in the city of Clinton, and Rev. Dr. McLeod visited Muscatine. Des Moines is the capital of the state. The others are what are known as river towns. Dr. McLeod was desirous of visiting some of the smaller towns, and some of the rural districts of the state, but Judge McDonald declined to take this course.

Thirty-five persons were interviewed. Fourteen of them avowed themselves opposed to the prohibitory law. Five of these were liquor sellers. Of the other nine, seven had always been opponents of the measure. Of those witnesses, who were opposed to prohibition, a large number unhesitatingly asserted that in rural parts of the state the law was thoroughly enforced with good results. Hon. Horace Boies, governor of the state, one of the strongest opponents of prohibitory legislation, said :—

There are a great many good people in this state who honestly believe that the prohibitory law is a good thing, that it lessens crime—that it is good from a moral point of view. For my own part, I am just as thoroughly satisfied that they are wrong—that the law is a bad law from every standpoint. I do not mean to say by that that in no part of Iowa is the law enforced ; because that is not true. Wherever public sentiment upholds it, wherever a large majority of the people are opposed to the traffic in intoxicating liquors, the law is reasonably well enforced. But, on the other hand, when you get into a locality where the public sentiment is opposed to the law, it is there the law is worse than a dead letter.

I think I can truthfully say that in the interior counties where public sentiment is strongly opposed to the traffic in intoxicating liquors of any kind, the use of those liquors as beverages has been diminished. So that starting with the proposition that the use of intoxicating liquors as beverages is an evil, I think all ought to be willing to concede that the law has proved a benefit to those localities.

From what has been stated it will at once be seen that at the time of the commissioners' visit different parts of the state were under different conditions. A majority of the large towns were under the loosest kind of a license law, with very little restriction upon those who were willing to

pay the monthly fines, the rest of the state had practical and effective prohibition.

A glance at the tables in chapter 7 will show that Iowa had, at the time of the United State census, a remarkably low record of crime according to both penitentiary and jail statistics, and had also a low ratio of almshouse inmates. The number of penitentiary convicts to 1,000,000 of the population in the whole United States was 722. In the state of Iowa the penitentiary convicts per 1,000,000 of the population numbered 326. The ratio of county jail prisoners to population of the United States was 312 per million, in Iowa it was 171 per million.

EXTRACTS FROM EVIDENCE.

It will scarcely be necessary to add anything further than a few extracts from the evidence taken in the different places visited. Hon. W. N. McFarland, of Topeka, Secretary of State for Iowa, said :—

We have 99 counties. I have been pretty well over them in the campaigns in three years, and I should say that in sixty of those ninety-nine counties the law is fairly well enforced, as well as ordinary criminal statutes are enforced ; but in the other thirty-nine counties the law is not enforced as well as other laws. Probably in those thirty-nine there would be twenty counties where the law is absolutely disregarded, where it is not enforced at all, and there are more saloons in those twenty counties than there were before the law was passed, and they run absolutely without any restraint. That is the result of my observation.

The following is from the evidence of Hon. G. T. Wilson, United States district court judge :—

Ques.—Where there has been a breach of the law and it is prosecuted, what class of people are generally guilty of the offence? *Ans.*—In a large portion of the state where prohibition is rigidly enforced, there can be no open saloon. I live in the south-eastern portion of the state, which has not a saloon in it, or a place for the sale of liquor. The only way you can get it is by going to the pharmacies, or by getting it from what are called boot-leggers. Those are the main parties who appear in court.

Ques.—I suppose that in the district of the state where you live there are towns with a considerable population? *Ans.*—The average town has 4,500 to 5,000 people.

Ques.—In towns of that size, is the law well enforced? *Ans.*—Yes. I live in Mount Pleasant, which has about 5,000 popula-

tion. There is a drug store in it, in which it is suspected that you can get liquor, but outside of that there is not an open place where you can get it.

E. R. Mason, Des Moines, clerk of the United States circuit court, said :—

In 1886, my brother and myself purchased at Jonesville, Mich., a cotton mill, and operated it with about 100 employees. In that town they had open saloons, and a large number of the employees were addicted to drink. When they drew their money monthly they were not back to the mill on time, and they never got a single dollar ahead. When we moved to Des Moines with the mill in 1888, we brought a large number of those employees with us, and, without a single exception, we had to furnish the means to pay the transportation of themselves and their families and their household effects. We operated the mill here for three years, and, without a single exception, those men who had been addicted to drink were sober and saved their money, so that when the mill was burned in December, 1891, there was not one of them who had not sufficient money to carry him through the winter without any help from outside.

DRINK SELLING IN DES MOINES.

The city of Des Moines with a population of 60,000 had no open saloon. Officials assured the commissioners that the law was well enforced. Complaint, however, was made that people could get intoxicating liquor at drug stores with very little difficulty. Judge McDonald describes a visit made by him in the evening under the guidance of two newspaper men to the back part of several drug stores, in all of which intoxicating liquors were being dispensed. He also was admitted, in one case by the knocks of one of these newspaper men and in another case by the same party's latch key, into rooms where liquor drinking was carried on. Even in this large city such traffic as existed was being carefully kept out of sight.

IMPORTANT STATEMENTS.

A few other statements taken from the minority report are herewith submitted :—

A Governor's testimony.—Hon. William Larrabee, Governor of Iowa, who was, prior to its enactment, a strong opponent of the prohibitory law, became an equally warm supporter of it by

observation of its workings. In his address to the legislature in 1890 he said:—

“Thousands of those who voted against the constitutional amendment in the belief that such a law would prove a dead letter, are now convinced that it can be enforced and demand its retention. The benefits which have resulted in the state from the enforcement of this law are far-reaching indeed. It is a well recognized fact that crime is on the increase in the United States, but Iowa does not contribute to that increase. While the number of convicts in the country at large rose from one in every 3,442 of the population in 1850, to one in every 860 in 1880, the ratio in Iowa is at present only one to every 3,130. The jails of many counties are now empty during a good portion of the year. . . . It is the testimony of the judges of our courts that criminal business has been reduced from 30 to 75 per cent., and that criminal expenses have diminished in like proportion.

We have less paupers and less tramps in the state in proportion to our population than ever before. Breweries have been converted into oatmeal mills and canning factories, and are operated as such by their owners. The report of the superintendent of public instruction shows an increased school attendance throughout the state. The poorer classes have better fare, better clothing, better schooling and better houses.

In a later address, Governor Larrabee said:—“There is not one-twentieth part as much liquor consumed in Iowa to-day under prohibition as there formerly was under license. . . . Many of the sheriffs in Iowa have discharged their deputies because there was nothing for them to do. The saloon was gone, and crime was without a factory. About half the Iowa jails are empty. It is impossible to keep jails filled unless you have recruiting stations in the shape of saloons. When my term of office expired the convicts in the two penitentiaries had so run down that all could have been put into one prison.

In December, 1887, Governor Larrabee addressed to each of the superior court and district court judges in the state a letter of inquiry about matters for executive recommendation to the next general assembly of the state. The governor's letter contained this paragraph:—

“I shall also thank you to apprise me of the effect of the prohibitory law in your district. Would you, after having for several years observed the operation of the present prohibitory law, advise its repeal; and if so, what would you propose to place in its stead?”

Answers to the above question were received from thirty-five judges—nearly the whole list. Two of them did not say whether they were in favor of or opposed to the law. Four were opposed to the law as it stands, favoring local option for cities. *Twenty-nine* were in favor of the law. Some of them had been opposed to it, but had become convinced of its wisdom by observing its good effects.

Judge Wilson said :—" I was not in favor of the law, thinking that the public sentiment was not strong enough to make it a success, and that high license would work better. I have carefully watched its workings and am convinced that I was wrong. Whatever was the sentiment at its passage, I am satisfied that nine-tenths of our citizens would vote against its repeal to-day. . . . No, sir, I am not in favor of repealing the law, and would be very sorry to see it attempted."

Judge Carson said :—" When in the senate I favored local option, but I am now satisfied that the statute should stand. My belief is that the effect has been very favorable in the reduction of criminal offences, especially those growing out of brawls and quarrels."

J. F. Kennedy, M.D., secretary of the Iowa state board of health, said :—

In all respects our people have been greatly benefited. Crime and immorality have greatly decreased ; social conditions have improved ; homes have become more home-like, and thrift and the angel of hope have gone into many homes where the blight of poverty and the demon of despair had taken up their abode.

Mr. W. W. Field, director of the state agricultural society, said :—

I do not mean to say that no liquor is sold and used in the state, but I do say that the quantity is small compared with saloon times, and that our young men are not tempted as formerly, and are being taught that to drink is to lower themselves in the estimation of the best society. It is rare now to see a drunken man upon our streets, and at our recent state fair, 1890, where there were upon our grounds one day 50,000 people, not a man was seen under the influence of liquor.

CONCLUSIONS.

Judge McDonald's views concerning the situation in Iowa are summed up in the following terms :—

That while many earnest prohibitionists honestly believe that in the rural districts the law is enforced, the fact is that in some of these sections there would not be any saloon even if a license law were in force, or, while in some of them the drug stores for the more respectable, and the " boot-leggers " for the lower classes, supply the demand for intoxicants, in all of them liquor may from other states be lawfully brought by or sent to the citizens for use in their own houses, and men may carry pocket flasks.

That there is not a pretence, even upon the part of prohibitionists, that the law is well observed in the cities and towns with the exception of Des Moines and possibly some small places, and as

to Des Moines it is shown incontrovertibly, both by the statements of citizens and others, and by personal observation on behalf of the Commission, that the law is flagrantly and systematically violated.

That "the law as it now (1893) exists gives the drug stores practical immunity for the sale of liquors," and that in fact very many of the so-called drug stores are in reality simply saloons for the sale of intoxicants.

That one of the worst evils which has resulted from the working of the prohibitory law in Iowa has been that in many communities there has been begotten a contempt for all law.

The conclusions adduced by the Rev. Dr. McLeod from his personal observation and the evidence submitted are as follows :—

The evidence shows that in certain places the law is openly violated with the consent of the civic authorities. And the observation of the commissioners bears out these statements. The testimony is uniform that the lax enforcement of the law is in the border cities and towns, and in those in which the foreign population is dominant. And, except Des Moines, the commissioners visited only such places, and in them heard most of the evidence and made their observations.

There was substantial agreement amongst the witnesses heard, including those who did not think the prohibition system a wise one, that in two-thirds of the state, or more, the prohibitory law was well enforced, with but little difficulty and with beneficial results.

Since the visit of the commissioners a change in the state law has been made, providing by statute for the authorization of the law-breaking already described. Under this pernicious system drunkenness is rapidly increasing in those parts of the state in which the prohibitory law is thus set aside or disregarded.

CHAPTER XI.

PROHIBITION IN KANSAS.

The state of Kansas furnishes perhaps the best field available in which to study the actual effect of the operation of prohibitory law. It was the first state to embody prohibition in its constitution. The constitutional amendment which was adopted in 1880 was in the following terms:—

The manufacture and sale of intoxicating liquors shall be forever prohibited in this state except for medical, scientific and manufacturing purposes.

The vote upon this amendment stood as follows:—for 91,874, against 84,037.

In the following year, 1881, the legislature enacted a prohibitory law giving effect to the constitutional amendment. For some time the enforcement of this statute was hampered by technical difficulties, which in time however, were surmounted. As officials became experienced in administering the law its effectiveness was increased. Since about 1885 it has been admitted a success, even by many of those formerly opposed to it.

Three of the commissioners visited the state; namely, Judge McDonald, Dr. McLeod, and Mr. Gigault. Their investigations were conducted in five places, Kansas City, Leavenworth, Topeka, Ottawa and Salina. No rural places were visited.

KANSAS CITY AND LEAVENWORTH.

These two cities are decidedly the best (or worst) examples to be found in the state of lax administration of

the law, the conditions in both cases being peculiar and such as to seriously interfere with successful enforcement. These facts are set out as follows by Dr. McLeod :—

Kansas City is as unfavorably situated for the enforcement of prohibition as it could possibly be. It is, practically, a part of Kansas City, Missouri, in which latter city, as stated elsewhere in this report, liquor selling, under a high license system, goes on unhindered seven days in every week and twenty-four hours every day, with the accompaniment of Sunday theatres, gambling and prostitution.

The population of Kansas City, Kan., (40,000) is made up largely of Bonemians, Hungarians, Germans and colored people, all of which classes have more or less the drink habit.

Leavenworth is another illustration of lax enforcement. It is located on the Missouri river, and its main street is within fifteen minutes walk of the high license state of Missouri. It has a large foreign population, including many miners; there is a military reservation and fort, with sometimes three thousand soldiers, on one side and a home for veteran soldiers on the other side, in which there is all the time an average of 2,500 men. The state penitentiary also is near. Before prohibition Leavenworth supported over two hundred saloons, dance houses and beer gardens; and when the vote was taken on the prohibitory amendment the city polled a large majority against it. It is not, therefore, surprising that there should be resistance to the prohibitory law, nor that its enforcement should be difficult and uncertain.

Notwithstanding these unfavorable conditions it was found that in Kansas City public opinion was strongly in favor of the law. Eighteen witnesses were examined. Two of these were not directly asked their opinion about the law. Fourteen of the remaining sixteen spoke favorably of it, and declared that it had accomplished good. A couple of extracts from the evidence, showing how strongly these opinions were expressed, are well worth quoting.

Mr. S. S. King, police court judge of Kansas City, Kan., said that notwithstanding the degree of non-observance, the prohibitory law is a long step in the direction of sobriety. He added :—

I am satisfied that, taking the state over, there is not nearly so much drinking or intoxication as there would be under a license law. I will say this, too, notwithstanding the fact that I have always been in favor of license, at least until recently, and I can scarcely tell now whether I am or not.

On being asked if there are fewer persons selling liquor in the city than there were under the License Act, he answered :—

Oh, yes, certainly, very much fewer, and it is sold in places rather hidden away, in back rooms, where young men and boys are not so likely to be induced to drink as in more public places.

The police captain of Kansas City, Kan., J. E. Porter, who had been in office four years, said crime had diminished considerably in the city during the four years, notwithstanding the population had increased. He stated that the sale of liquor is "less than it would be under license." There is evidence, also, that a proportion of the police work in Kansas City is due to the much drinking in the Missouri city.

Mayor Barnes, of Kansas City, Kan., who was elected in opposition to the liquor interest, and received the largest majority ever polled by a candidate for the office, said :—

"The law has accomplished very considerable good. It has been beneficial, even although the law has not been enforced entirely. I believe every effort in that direction benefits the community and promotes the growth of the country. I think we have had as many people immigrate to this state on account of our laws as there have been people to avoid it. Many a parent in the east who has had a son inclined to go to ruin has come to Kansas in order to get him away from the liquor traffic. In the smaller towns it is entirely effective. In the cities it has been harder to enforce the law."

Rev. Dr. McLeod sums up his own observations in this city thus :—

The personal observations of your commissioner confirm the statements as to the difference between the neighboring cities—one under high license, the other under prohibition. A Sabbath in Kansas City, Mo., revealed an open and general sale of liquors in disregard of the restrictions of the license law, and a condition of drunkenness on the streets quite appalling. Part of the same day was spent in Kansas City, Kansas. Whatever illicit sale there may be on other days, there was, certainly, an absence of observable violation of the prohibitory law. There were no drink shops to be seen and no signs of drunkenness in the streets, and there was a general air of quiet Sabbath observance, in marked and pleasant contrast with the flagrant violations of the license law and the flaunting Sabbath desecration in the Missouri Kansas City.

The opinions expressed in Leavenworth were not so favorable to the law. In that city the officials connived at and encouraged liquor selling; the result being that the town formed a striking contrast to the other parts of the state in which the beneficial effects of the law were clearly manifest.

Mr. Gigault visited Salina alone. He reported laxity of enforcement and open drinking.

TOPEKA AND OTTAWA.

Nine witnesses were examined in Topeka. Not one of them expressed a bad opinion of the law. Seven of those who were directly interrogated, declared their favor for it, stating that it had been beneficial. One witness, out of ten heard in Ottawa, disapproved of the law. All the others in that city whose opinions were asked favored it, and were satisfied that it had been an advantage to the community. Even the majority report, in which no effort is made to present a favorable view of prohibitory legislation, refers to the visit made to Ottawa in the following terms :

They found it to be a beautiful town with a population of possibly 7,000 people, and having railway repair shops, mills and other industries, the Santa Fe Hospital, four graded schools, a Baptist university, and a lovely park. It is called a "city of churches," there being sixteen church buildings. One witness thought it was the first place that had prohibition before there was a general state enactment.

Although it was admitted by some of the friends of the law that illicit sale goes on, and that it is thought that druggists (there being nine drug stores when there should not be more than three or four to do a legitimate trade) sell liquor to people for beverage purposes, and that a great deal is shipped to Ottawa on the sly by men who use liquor; notwithstanding all these admissions, the great majority of those who were examined,—in fact, nearly all of them,—stated that the prohibitory law had been a great benefit to their community, and they or many of them said that drunkenness had been virtually banished from the community.

One of the commissioners, accompanied by the Revd. Dr. Milner, or some citizen of Ottawa, called at one of the express offices and was shown there a package containing liquor which was awaiting delivery, but in Ottawa no liquor saloons were seen, nor were there any signs of drunkenness.

EVIDENCE OF WITNESSES.

It must be remembered that the evidence taken in the state of Kansas on the whole is strikingly commendatory of the law. It is summed up by Commissioner McLeod as follows :—

Of sixty-five witnesses heard in the state eighteen expressed opposition to the prohibitory law. Of these eighteen, sixteen had always opposed it. Two of them had voted for the prohibitory amendment, but are now opposed to the law. On the other hand, five witnesses who had opposed the adoption of prohibition are now in favor of it, having been led to change their views by the satisfactory working and the good effects of the law.

The Kansas evidence occupies 142 pages of the printed report. There is only space for a few extracts from the testimony of reliable witnesses who were evidently doing their best to present the facts of the case. It would not be fair under such circumstances to take the statements of the few who were manifestly prejudiced against the law.

Col. James Abernathy, a prominent citizen and manufacturer in Leavenworth, admitted that his city was probably the worst in the state in point of law enforcement, the officials being in favor of the liquor traffic. He said, however :—

In my own business, before this law was passed we employed a great many Germans, and they were in the habit of going out about ten o'clock in the morning and along in the afternoon and getting their beer. When the law was passed we found that they stopped that. I noticed a great improvement in the men in that respect. Indeed, I will say this : I believe there is a great improvement even right here in Leavenworth, in comparison with the time before the law was passed. Men who used to go to saloons and places of that kind when they had to climb up two or three flights of stairs, or go into a back alley, have told me repeatedly, "If I have to do that, I won't drink." I know a great many men who have quit drinking. Although the law has been poorly enforced, I believe a great deal of good has come of it, even here, although this is probably the hardest place in the state of Kansas in which to enforce the law, owing to its peculiar circumstances.

The following is taken from the evidence of Mr. Edward Wilder of Topeka, secretary and treasurer of the Atchison, Topeka and Santa Fe Railway :—

Ques. Under the license system, did you have your shops here, and a large number of men employed ?—*Ans.* Yes.

Ques. How did the license system affect your employees?—*Ans.* I think there is no question at all but a good deal of the wages was paid into the saloons, that now goes into the houses to purchase better food and clothing for their families.

Ques. Are many of your employees home owners?—*Ans.* They are. A large number of them live on what we call the bottoms, near the shops. A very large proportion of the houses are owned by the mechanics living in them, and they are paying for them gradually, and are helped to pay for them by the savings of their wages that formerly went into the saloons.

Ques. So that with regard to their financial as well as social position prohibition has been beneficial to them?—*Ans.* There is no question about it.

Ques. And more or less directly to the company employing them?—*Ans.* Much better for us. A man coming to us in the morning with his head clear is better than a man who was on the street the previous night. What he drinks at his own house does not affect his head.

Ques. Putting aside the moral view of the case, you regard prohibition favorably from your experience of it?—*Ans.* Undoubtedly.

Ques. How many do you employ in these offices?—*Ans.* About 400. The argument is often used by the opponents of prohibition that you cannot enforce the law, and therefore you ought not to have it. I think that might be said with equal truth about any law. In proportion to the gravity of the crime, the law against murder is not any better enforced than the law against drinking, and I am sorry to say that we do not use our best endeavors to punish the criminals after the crime has been committed. So with the law against thieving: it does not prevent the crime; but to say that we ought not to attempt to carry prohibition because we cannot succeed in enforcing it absolutely and because some cities have open saloons, or because in Topeka you can get liquor somewhere, seems to me to be a very childish argument.

Preceding the visit of the commissioners there had been a great deal of political excitement in Topeka on account of the claims made by rival political parties to the possession of the machinery of government. Thousands of men were congregated from every part of the state. Intense and bitter partisan feeling prevailed for several days. There was extreme apprehension that a general fight would ensue. In reference to the condition of affairs at this crisis, Hon James A. Troutman, member of the house of representatives, made the following statement:—

We had in this city for three or four days a very large concourse of people. A great many of them were in an intense

state of excitement, and I think it is no exaggeration to say that thousands of them were armed. This street from here to the State House was crowded with people from all over the state, having arms and ammunition in their possession. Meetings were held, and many inflammatory statements were made, and a good many people on both sides were anxious to have some difficulty. But there was a state of sobriety prevailing among the people that was remarkable, and I think that it was that alone which prevented serious difficulty. If open saloons had been in existence here, there would have been unquestionably a great many drunken people, and some of them while in that condition might have precipitated a riot, and there is no telling what would have followed.

Hon. A. H. Horton, chief justice of the state supreme court of Kansas, a resident of the state for thirty-five years, said in his testimony, regarding the prohibitory law :—

I think it is beneficial upon the whole. The law is not by any means absolutely enforced, but the license law was not any better enforced than the prohibitory law is. The prohibitory law is as well enforced as the law against gambling and the laws against disorderly houses, and in the cases brought into court the proportion of convictions is even greater.

S. M. Gardenshire, of Topeka, clerk of the district (county) court, said :—

We have no criminal business to speak of in this county, and have not had since the adoption of the prohibitory policy. We have almost none. We have less than four cases on our docket now, in this county of eighty thousand people. We do not average a capital offence per year in this court, and this court has exclusive criminal jurisdiction. We have sent less than twelve men to the penitentiary in the past year from this county for all crimes.

The following passage is from the evidence of Hon. Mr. Gains, superintendent of public instruction for the state :—

Ques. You have the superintendence of all the public schools in the state ?—*Ans.* Yes.

Ques. From your observation at the head of this very important department, what is your belief as to the effect of prohibition upon the school-going youth of the country—good or bad ?—*Ans.* It is excellent. The effect is grand. I have been a teacher for a number of years in the state. I have been connected with the high schools, public schools and the college work. We have the country high school system in this state. In Dickenson County I stood before one of the high schools and asked how many of the pupils had never seen a saloon. Out of an attendance of 140 over a 100 of their hands went up in answer ; they were young

boys and girls who had never seen a saloon. We have a four weeks term of special training for teachers in the summer months in each county, and I have asked as many as 140 or 150 teachers at these assemblages how many had never seen a saloon, and in answer the majority of hands went up. This shows that we have driven the saloon from the state.

Mr. Ira D. Chamberlain, a journalist of Leavenworth, said :—

Anyone who has lived in the state prior to the passage of the prohibitory law, and has lived here since, will not need any argument to convince him that so far as the morality of the people and the effects of the law on the public interest in all its higher branches are concerned, prohibition has been a success.

There has been a feature of this question which has been growing in interest and importance, that is, the attitude of the young people who are growing up and becoming of legal age to vote. This movement for prohibition was started in 1878. Since that there has been a large growth of children into voting men, and these are almost entirely temperance young men. There are tens of thousands of young men between the ages of 21 and 25 in this state that know nothing of the vile associations that gather around the saloon, and I could find you thousands that were never in a saloon.

I have lived in the central part of the state and I have travelled throughout the state a good deal in connection with the associated press, and I have talked with a great many young men who have never been in a saloon, and who have grown up with a natural antipathy to the traffic. That is going to be of great assistance to the parties who desire to destroy the liquor traffic.

Rev. Dr. Milner, already mentioned, said in his testimony :—

I have been present for several years at the Chautauqua Assembly, which is held at Ottawa. We had celebrations there when great numbers of people were present, fourth of July celebrations, when excursions would come in from everywhere about. On one occasion, when John A. Logan was present, it is estimated that 30,000 people were there, and there was not a solitary arrest that day. I cannot think that such a thing would happen anywhere on the face of the earth where the sale of liquor and open saloons were permitted.

FACTS, NOT OPINIONS.

In May 1892, Sir Joseph Hickson, chairman of the Commission, addressed a letter to the Governor of Kansas, asking for information regarding state legislation and its effects. In reply he received the following letter :—

EXECUTIVE DEPARTMENT, GOVERNOR'S OFFICE,

TOPEKA, 19th April, 1893.

Mr. J. HICKSON, Chairman,

Montreal, Canada.

Dear Sir,—Replying to your letter of the 4th inst., I have the honor to submit the document, “Prohibition in Kansas,” which I think covers most of the points required in your letter. Trusting this will be satisfactory, I am,

Yours very truly,

L. D. LEWELLING,

Governor.

The full title of the pamphlet accompanying this letter, was “Prohibition in Kansas ; Facts, not Opinions.” It had attached to it the following certificate :—

“TOPEKA, KAN., April 16, 1889.

“We have examined the statement prepared by the president and secretary, and the ex-president and ex-secretary of the Kansas State Temperance Union, upon the subject of prohibition and its results in our state. We find it a fair, honest and true statement of our condition, and we heartily endorse it as such.

(Signed) “LYMAN U. HUMPHREY, Governor,
“WILLIAM HIGGINS, Sec. of State,
“TIMOTHY MCCARTHY, Auditor of State,
“J. W. HAMILTON, Treasurer of State,
“G. W. WINANS, Supt. Public Instruction,
“L. B. KELLOGG, Attorney General,
“ALBERT H. HORTON, Chief Justice,
“D. M. VALENTINE, Associate Justice,
“W. A. JOHNSON, Associate Justice.”

It was confidently expected that so important a document, thus officially submitted, would have found a place in the commissioners' report, or at least been added as an appendix. This was not done. A few extracts of it are quoted in the majority report in which a strong effort is made to show that they are unreliable. A striking instance of this attempt is to be found in a case in which extracts from the pamphlet showing the good done by prohibition, are placed in parallel columns with the statements made by temperance men who were finding fault with laxity of enforcement and endeavoring to secure improvement, the manifest intention being that the complaints of laxity of enforcement should be considered as contradicting the statements of benefit resulting from the law.

In contrast with this we find in the majority report two pages of quotations from an anti-prohibition campaign document, "The Eye Opener," no attempt at all being made to compare them with the reliable and authoritative evidence of witnesses examined by the Commission.

The document submitted by the Governor of the State is, under the circumstances, worthy of special note. The pamphlet makes the following declarations:—

The law is efficiently and successfully enforced. The direct results of its enforcement are plain and un mistakeable. We believe that not one-tenth of the amount of liquor is now used that was used before the adoption of the prohibition law.

Our citizens fully realize the happy results of the prohibition of the manufacture and sale of liquor, as these results are seen in the decrease of poverty and wretchedness and crime, and in the promotion of domestic peace and social order—in the advancement of general enterprise and thrift. In our opinion the prohibition law is now stronger with the people than it was when adopted. It has more than met the expectations of its warmest friends. It is steadily winning the confidence and support of thousands who were its bitterest enemies.

Some further extracts from this pamphlet, quoted in the minority report, are here submitted:—

United States Senator Plumb, of Kansas, said, October 22, 1889:—

That there has been a great diminution in the consumption of liquor and in the consequent drunkenness and crime in the state, as the result of the exclusion of the saloon, is everywhere noted and confessed. In fact, no evidence on this point is more conclusive than that the brewers and distillers are so urgent to have the saloons re-established. They are not spending large sums of money in this matter for fun. The argument that the people of Kansas are spending large sums of money in Missouri for whiskey which they would do better to spend at home is similarly disposed of, when we observe that the liquor manufacturers and wholesale dealers of Missouri are deeply engaged now, as they always have been, in the effort to change the policy of Kansas on the temperance question. They know where their interest lies.

Congressman Kelly, of Kansas, said, November 26, 1889:—

No law ever passed has added so much to the comfort and happiness and contentment of the people as has the prohibitory law in Kansas, and the people of Kansas know it. Of all the legislation ever passed in Kansas—and much of it has been good—prohibition is the brightest jewel in her crown; and Kansas is to-day, on account of prohibition and the courage of her people in

sustaining it, the citadel around which cluster the hopes of humanity for the eradication of the greatest curse of this country, the saloon.

November 28, 1889, Congressman Morrill said:—

I am fully satisfied that the law has been a blessing to the state; that it has largely reduced the sale of intoxicating liquors.

Hon. A. H. Horton, chief justice of the supreme court of Kansas, said December 16, 1889:—

Under the laws of our state the open saloon has been banished utterly from its limits. The overwhelming sentiment of Kansas is against the saloon, and a complete revolution will have to take place in the minds of a majority of the voters before the saloon traffic will again exist in the state. With the abolition of the open saloon the vicious habit of treating has passed away. With us, the habitual use of intoxicating liquors is a bar to political preferment, and the saloon is no longer a potential factor in elections. The effect of the passage of the law was immediate. The hand of the liquor seller, before stretched out between the hand of the employer and employee, disappeared from the pay table. Grocers, bakers and dealers in clothing noticed a change. The money came to them for the necessities of life that before had been expended for its bane and curse. The traps before set at every step for the feet of the laboring man disappeared. The father is no longer allured, with the consent of the state, to squander the money of his wife and little children. He no longer takes the furniture or the scanty clothing from his little home, and exchanges it for money at the pawn shop, spending the proceeds in the nearest saloon. Employers have repeatedly testified to the benefits which came with the change.

Hon. W. A. Johnston, associate justice of the supreme court, said in November, 1889:—

I think that prohibition grows stronger as time passes. It is correct in principle, practicable and highly beneficial in its operation. It is reasonably well enforced in most of the counties of the state, and I believe that by an earnest, determined effort of the officers it could be enforced in every county. Aside from the vote adopting the amendment, the issue has been repeatedly presented at each of the state elections, and the result shows an overwhelming sentiment in favor of prohibition. I regard it to be as firmly fixed in our political system as free schools and homestead exemptions.

Prof. James H. Canfield, of the Kansas state university and president of the national educational association, says:—

When I began work in the State University in Lawrence, twelve years ago, every student was obliged to pass thirteen saloons on

his way to the postoffice for his daily mail. There is not now a saloon in this city of 12,000 people, nor anything that corresponds to a saloon. The mass of our school children never saw a saloon, and do not know what it means. This is also true of many of the older students in the university. We already have a generation almost on the stage of active life who have never been tempted. Social drinking is impossible. The moral sense of the community has so risen and has been so tempered that no conceivable conditions or circumstances could ever again make the saloon-keeper or the bar clerk respectable.

Judge W. C. Webb, who is spoken of as one of the ablest jurists in the state, said April 4, 1890 :—

I voted in 1880 against the prohibitory amendment. For four or five years afterwards I thought my opinion as to probable results was likely to be vindicated. But it is not so now. Prohibition has driven out of Kansas the open saloon, and has accomplished a vast deal of good—a thousand-fold more than any license law ever did or ever could.

Senator Buchan, of Wyandotte, Kansas, said on October 22, 1889 :—

I cannot recall a single person who voted for the amendment that would now vote against it, while on the other hand you can find hundreds who voted against it who would now vote to retain it in the constitution. I voted against the amendment and have never been a prohibitionist, but I prefer to cast my lot among respectable, law-abiding citizens as against law-breakers and nullifiers. I believe the state is better for prohibition. Crime has decreased, court expenses have been reduced, communities have been made more respectable, and individuals have been made happier for it.

Hon. J. W. Hamilton, state treasurer, said on November 24, 1889 :—

It is well known to my friends that when the prohibition question was first agitated I was an anti-prohibitionist. I did all in my power to defeat the amendment. I was what they called a Glick resubmissionist. But I was mistaken then. The prohibitory law has my endorsement, not alone because it is the doctrine of my party, but because I believe it is right, I do not see how any fair-minded man who has lived in Kansas for the past five years can be otherwise than in favor of the law. I don't want my children, nor any other man's children, to grow up where they will be confronted by saloons every day of their lives. I am satisfied with the law, and shall vote and work to keep it in force.

Governor John A. Martin was one of the most resolute opponents of prohibition in 1880, but before his death

became a firm advocate of the cause—converted by the logic of its success. In his last message to the legislature he said :—

There is no longer any issue or controversy in Kansas concerning the results and beneficence of our temperance laws. Public opinion, it is plainly apparent, has undergone a marked change, and there are now very few citizens of Kansas who would be willing to return to the old order of things. The change of sentiment on this question is well grounded and natural. No observing and intelligent citizen has failed to note the beneficent results already attained. Fully nine-tenths of the drinking and drunkenness prevalent in Kansas eight years ago have been abolished ; and I affirm, with earnestness and emphasis, that this state is to-day, the most temperate, orderly, sober community of people in the civilized world. The abolition of the saloon has not only promoted the personal happiness and general prosperity of our citizens, but it has enormously diminished crime ; has filled thousands of homes, where vice, and want, and wretchedness once prevailed, with peace, plenty and contentment ; and has materially increased the trade and business of those engaged in the sale of useful and wholesome articles of merchandise.

Governor L. U. Humphrey, in his annual message to the legislature in 1889, said :—

The growth of public sentiment in support of constitutional prohibition in Kansas is steady, healthy, and unmistakeable. The saloon as a factor in politics, as a moral iniquity, has been outlawed and made a fugitive and a vagabond on the face of the earth, or that part of it within the territorial limits of Kansas. The law generally is being respected and enforced, because by a sort of educational process it is becoming identified in the public mind with other criminal statutes. The records of courts and of prisons, from the city calaboose to the penitentiary, show a diminution of crime and a falling off in our prison population, bearing the most incontestible evidence of the efficiency of the present law and of the prohibitory policy which the law is designed to enforce.

Later, Governor Humphrey, writing in answer to a question about prohibition, said :—

It is not needed to disguise the fact that there are some cities and towns in Kansas where the law and the constitution are violated. Every penal statute ever enacted has been violated. But you can boldly tell your co-workers that prohibition is neither a farce nor a failure ; that the open saloons are outlawed and the vocation of the bar-keeper gone ; that *since prohibition was enacted the state has increased in health and population and prosperity, and that crime has diminished*. You can join with one of Kansas' purest and ablest citizens, the late Governor Martin, the shadow of whose death still hangs over us,

who loved Kansas, and whose memory is, and will for all time to come be held in devout reverence, who said in his last message to the legislature: "I affirm with earnestness and emphasis that Kansas is to-day the most temperate, orderly, sober community of people in the civilized world.

THE COMMISSIONERS' CONCLUSIONS.

It must be admitted that the evidence collected in the state of Kansas is on the whole a strong endorsement of prohibitory legislation, as a means of mitigating the evils of intemperance and lessening drunkenness and crime. The conclusions of both majority and minority reports show that this fact forced itself upon the minds of the enquirers. The majority report in endeavoring to lessen the force of the evidence collected uses the following suggestive language:—

To sum up in a very few words the state of matters as it was found in the state of Kansas, it may be observed that, while people not wishing to use intoxicants, or who are opposed to such use, seldom find themselves face to face with the saloon and its surroundings, yet there cannot be any doubt that the person, young or old, who really wishes to obtain intoxicating liquor for beverage purposes, need not wish in vain. He may from any place in the state send to any neighboring state and order a supply which will be delivered to him openly by the express company, or he may in many sections, resort to the drug store, and in some can be supplied at the places called "joints," or by persons called "boot leggers," or, if in a city or town where the authorities are in sympathy with the law, and have public sentiment with them, he may join others in a "club." And when this state of things exists, and at the same time in some communities there is an illegal licensing of the traffic which has a tendency to bring all law into contempt, and in almost every section of the state in which prosecutions are instituted, a prevalence of perjury in these liquor cases—the thoughtful man may well ask himself which after all is the better, or the worse, the state of things under a license law, or that under a so-called prohibition law.

The minority report says:—

The conclusions at which your commissioner has arrived from a careful study of all the facts ascertained, and from personal investigation and observation are:—

1. That prohibition in Kansas has passed the experimental stage and is now the settled policy of the state.
2. That, wherever enforced, the good results are undeniably great.
3. That in every part of the state, except in the border towns, and perhaps a few interior places where the people have been

very strongly opposed to it, the law has been efficient' enforced ; and that even in these excepted places there have been times when the prohibition has been absolute, and at all times the illicit traffic has been seriously hampered and reduced, with corresponding benefits to the communities.

4. That the consumption of liquors in the state has greatly fallen off ; liquor dealers who formerly made large sales in the state admitting that the law has made Kansas an unprofitable territory for their business.

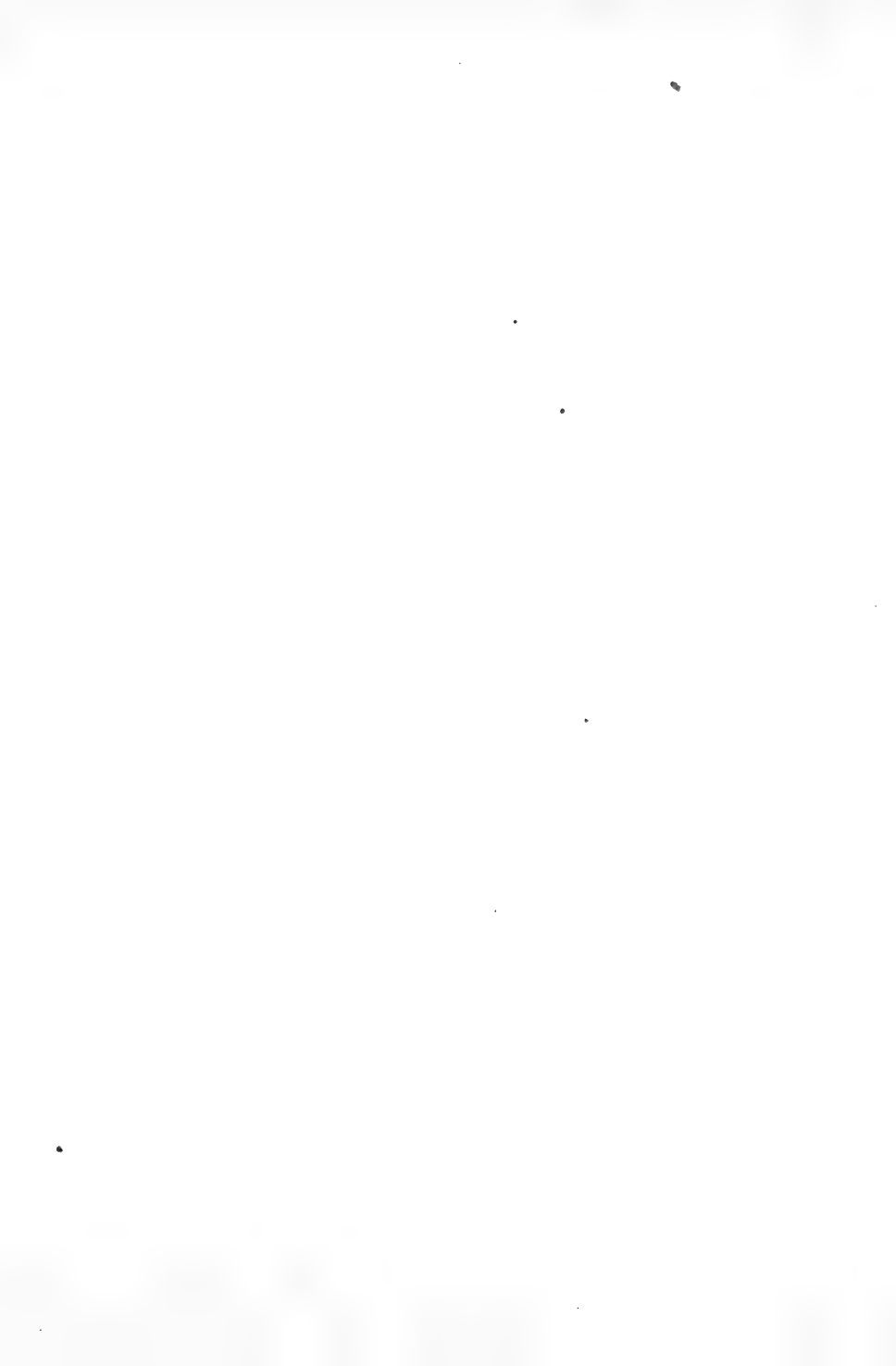
5. That the liquor traffic has lost most of its influence in the politics of the state, what influence it does now exert being from neighboring states, and lessening each year.

6. That crime has been lessened considerably ; and the tendency is towards still farther reduction.

7. That business in the state has not been hindered, but greatly helped by prohibition ; that property values have been enhanced, and the rate of taxation reduced.

8. That the effects on the social, educational, moral and business interests have been such as to commend the law to the favor of the great majority of thoughtful citizens, including many who were originally opposed to it ; and that if the question were now, after twelve years experience, submitted to the people the prohibitory law would be endorsed by an increased majority.

9. That the prohibitory law of Kansas has, all things considered, so much suppressed the liquor traffic and its accompanying miseries and evils, and has so much promoted sobriety and its accompanying prosperity and blessings, that it is fairly entitled to be declared a marked success.



PART IV.

“ The effect that the enactment of a prohibitory law would have in respect of social conditions, agricultural business, industrial and commercial interests, of the revenue requirements of municipalities, provinces and Dominion, and also as to its capability of efficient enforcement.”

CHAPTER I.

THE EFFECT THAT PROHIBITION WOULD HAVE ON SOCIAL CONDITIONS.

To enquire what would be the results of prohibition was one of the duties committed to the Commission. They might have carried out the instruction by considering what results the liquor traffic produced, and what would be the probable conditions if that traffic were prohibited so as to prevent such results. They might have drawn conclusions from the evidence and opinions of competent witnesses. Neither of these courses is taken in the majority report, in which indeed this division of the subject of enquiry is very briefly dealt with. The present chapter will sum up the findings of both majority and minority reports in relation to the effect of prohibition on social conditions.

THE MAJORITY'S STATEMENTS.

Just as the majority report of the Commission fails to deal with the tremendous evils that result from intemperance, so it fails to deal with the facts submitted by witnesses in reference to good done in different localities by a change from the system of licensing to that of prohibition.

Hundreds of witnesses had given testimony regarding this matter. The commissioners had before them the overwhelming declarations of ecclesiastical bodies and other organizations as to the effectiveness of prohibition and the rightness of prohibitory law.

Communications had been sent to clergymen all over the Dominion asking them to state whether or not they had experience of the operation of prohibitory law and whether or not such experience showed the results to be good. Of those who replied to these direct questions, 1,606 had said that they had known prohibition to have the effect of lessening drunkenness while only 259 had stated that they had not seen such results.

To the enquiry as to whether or not such local prohibitory laws had lessened or increased drinking in families, 1,434 had stated the result was a lessening, 128 had stated that the result was an increase, while 93 had failed to observe any change.

Of those who were asked as to what effect such laws had produced in the community 1,557 said that it lessened drinking, 137 said the result had been an increase of drinking, 65 thought there had been no change.

The commissioners had also before them the vast amount of evidence, some extracts of which are quoted in the present volume. They might readily have compared the condition of Canadian communities under license and under prohibition respectively. They might have compared the condition of certain places under license with the condition of the same places at other times under prohibition. The comparison made and conclusions arrived at by them are, however, simply those set out in the following paragraphs :

No where, so far as this Commission has been able to investigate, have prohibitory laws had the effect of stopping the use of alcoholic liquors as a beverage.

The commissioners have anxiously sought to ascertain if the operation of these laws has had the effect of lessening the consumption of liquor, curtailing intemperance and reducing the number of offences against the laws, to a greater extent than the system of license and regulation, which it is needless to say, has been much more generally resorted to all over the world, than has the prohibition of the traffic.

General prohibitory laws are, practically, confined to the United States. Local option laws exist in some of the colonies, have existed, and do exist, in Canada. Prohibition against the giving or selling to the aboriginal inhabitants, in many of the colonies, as in Canada, has existed and exists.

In previous portions of this report, comparison has been made, as far as it has been possible, of the results secured under the prohibitive system elsewhere, with those which have been obtained in the Dominion under the license and local option systems which have been in force, and the conclusion arrived at by the undersigned, is, that progress towards the suppression of intemperance, the curtailment of offences against the laws, and the suppression of vice generally, has been greater and more solidly satisfactory in Canada than it has been in any of the neighboring states similarly situated which have adopted prohibition.

The statement is made that where prohibition has been adopted the efforts of temperance organizations to promote sobriety and personal abstention from the use of intoxicants have become less effective and in not a few cases have been abandoned. These paragraphs are added :

Temperance implies self-restraint, and self-restraint ends where coercion begins, said Professor Goldwin Smith in his evidence, and it may be added that when the law undertakes to prohibit, persuasion generally ceases.

Rev. Professor Clarke, of Toronto, in his evidence said : "As a principle it seems to me to be quite inconsistent with the divine government of the world for one thing. God does not make us good and strong by locking up all the cupboards in our houses or in the universe which may contain anything hurtful."

The general conclusions of the majority of the commissioners in regard to what would be accomplished by prohibition are set out as follows :—

The undersigned have already expressed the opinion that more substantial progress has been made under the system pursued in Canada for regulating the liquor traffic, than has been achieved under prohibitory legislation in the states of the United States which have adopted prohibition, and, it is only necessary to add, that they do not believe the social condition of the people of the Dominion would be improved by the enactment of a general prohibitory law.

THE OTHER SIDE.

The minority report having already fully discussed the relation of the liquor traffic to drunkenness and crime, and the beneficial results that in many cases have followed the operation of prohibitory laws, deals with the branch of the question now under consideration in the following brief and forcible paragraphs :

The effect that prohibition would have upon the social conditions of the community can, to some extent, be inferred from the results that have already been obtained, and from the fact that such prohibition would remove the cause of evils that now exist. The mere "enactment" of a law could not be very effective, beyond the educating influence that must be exercised upon the community in reference to evil, by the fact of legislation against that evil. Respect for law will also be cultivated by the bringing of law into harmony with right principles.

It is impossible, in face of the facts already set out, to come to any other conclusion than that the effect of prohibition on the social condition of the people would be good, the extent of the benefit conferred by it varying with the thoroughness of the enforcement of the law.

The evidence laid before the commission unmistakeably demonstrates that the liquor traffic is invariably productive of the evils. That evidence also makes it clear that every diminution of the traffic is accompanied by a lessening of those evils. It is also manifest that the law, the results of which approximate most nearly to prohibition of the liquor traffic, would be most effective ; and, so far, it is clear that prohibitory laws have been more restrictive of the traffic and more promotive of desirable social conditions than any other form of legislation known. Were the direct evidence on this point not so complete, the conclusion would be inferred from the fact that the liquor traffic opposes prohibitory legislation and resists the operation of it, as well as from the declared favor of that traffic for any kind of legislation in preference to prohibition.

There can be no escape, therefore, from the conclusion that the abolition of the traffic by legal prohibition would bring about vastly improved social conditions, to the great benefit and blessing of the country.

CHAPTER II.

THE PROBABLE EFFECT OF PROHIBITION UPON AGRICULTURAL INTERESTS.

In Chapter 2 of Part I, mention is made of the different articles of agricultural produce used in the manufacture of intoxicating liquor. The effect of prohibition would no doubt be to prevent the consumption of this produce in liquor manufacturing. If no other market were available for that produce, farmers would of course either have to suffer to that extent, or raise some other crops for which there would be a demand.

Some reference is also made to the relation of the liquor business to the cattle-feeding industry. A large amount of distillery and brewery refuse is used for cattle feeding. It may be assumed that this is more an injury than a benefit to agricultural interests, inasmuch as a large proportion of the material used in liquor manufacturing is imported. If this were not the case the cattle fed on distillery refuse would probably be fed on Canadian farm produce.

THE THEORY OF THE MAJORITY.

The majority report, however, assumes that there would be direct loss to agriculturists on all these lines, presenting this view of the case as follows :—

The adoption of prohibition would deprive the farmers of a market for a considerable portion of the product of their farms. The barley which is supplied for malting purposes is produced on soils peculiarly adapted to produce it. A home market affords the farmer a ready means of converting his crop into cash at a season of the year when the latter is in many instances indispensable if he is to meet engagements. That some other crop could be produced instead of barley, is doubtless true, but it is undoubtedly

also true that this change, if it could be brought about at all advantageously, would, for a time, inflict considerable loss upon the producer.

The production of hops is one of the expanding industries of the agriculturist. This branch of farming probably leads to the employment of a larger number of laborers than any other, in proportion to its magnitude. There have been small shipments of hops to England, but it is manifest that this outlet for Canadian hops could not, for many years to come, take the place of the present home market, which absorbs about 860,000 lbs per annum.

An increasing quantity of corn, grown in Canada, is being used yearly for the production of spirits. One firm alone uses between 5,000,000 and 6,000,000 pounds. A small quantity of wheat is made use of and a large quantity of rye.

The farmer finds also in connection with the brewing and distilling establishments of the country, a home market for a large number of cattle which are fed from the refuse of these establishments. That the cattle thus disposed of by the farmer, and fed by the distillers, could not be fed with equal advantage and equally satisfactory financial results, on the raw grains purchased from the farmers, and used by the brewers and distillers, is doubtless a fact.

The stoppage of the making of spirituous and malt liquors would, just to the extent that such products, as have been mentioned, are now made use of in their manufacture, destroy the market therefor.

In some parts of Canada, as stated elsewhere, large quantities of wines are made by manufacturers from grapes grown in the locality where the manufacture takes place. Not only is wine extensively manufactured in this way, but many farmers who grow grapes also make wine. This is a growing industry, and its stoppage would deprive many persons of their present employment, and would lessen the demand for grapes, thus probably compelling the destruction of vines in order to fit the land for other purposes.

That prohibition of the traffic would adversely affect the agricultural interests of the country, the commissioners believe is a fact beyond successful contention.

It will probably be as well to look separately at the facts in regard to the different losses above mentioned.

THE BARLEY QUESTION.

The most important evidence relating to barley-growing that was taken by the commission was that of Mr. John C. Snell, of Peel county, a gentleman who enjoys a high reputation among the farming community. His views, which were not successfully controverted either by any other argument offered or evidence adduced, are shown in the following quotations from his testimony:—

Ques.—Now, a general question. Do you think that the cutting off of the market for barley by stopping its manufacture into malt liquors, would inflict a serious loss upon the farmers of Canada? **Ans.**—No, I do not think it would be a serious loss, because it is only in some localities that barley is depended upon as a leading crop. Our land that has been sown from year to year, is not producing nearly as much crops as it used to a few years ago. We do not get nearly as much yield as we did a few years ago.

Ques.—Is that owing to the exhausting character of the crop? **Ans.**—I think so. When there was a good price for barley, our farmers turned their attention almost entirely to that, and cropped and cropped with barley until the elements of the soil that produced that crop to advantage, became exhausted, and the consequence is that they do not get nearly as large crops as they did a few years ago. Another disadvantage is that the straw from barley amounts to very little in the production of manure; so that there is not nearly as much manure to go back to the farm as there is from the straw of other crops. When our farmers are growing barley largely, they keep very little stock to feed, so that they produce very little manure to keep up the fertility of the farm.

Ques.—Corn is more used for feeding, is it not? **Ans.**—More generally used for feeding. Barley is being more used for feeding now than it was a few years ago, since the prices have gone down and the farmers have found that it is more profitable to feed barley to fatten hogs.

Ques.—Do you think it is equal to pease and oats? **Ans.**—No; I do not. Still, it is very good.

Ques.—What is the price of barley at present? **Ans.**—About 45 cents.

Ques.—What is the price of oats? **Ans.**—35 to 38 cents.

Ques.—It would be rather a serious matter for the farmers if the price of barley was reduced to the price of oats, if oats is the better article for feeding, supposing malting should be discontinued. There is no reason why barley should be kept at 45 cents, is there? **Ans.**—You can grow a good many more bushels of oats to the acre than you can barley.

Ques.—How much? **Ans.**—Oats will average about forty-five bushels to the acre, and barley not more than thirty, in these days.

Ques.—Is 35 cents a good price for oats? **Ans.**—It is a good price, and they get sometimes 40 or 50 cents.

The facts in reference to quantities of barley consumed in the liquor traffic and exported are stated in Dr. McLeod's report as follows:—

The annual production of barley in Canada during the ten years 1882 to 1891 has been diminishing; in 1882 the product was 27,658,444 bushels; in 1891 it had fallen to 21,634,817 bushels; the

average annual yield for the ten year period being 23,184,131 bushels. The inland revenue report, 1893, shows that the total amount of barley taken in that year, for the manufacture of malt and other liquor-producing uses, was 1,389,045 bushels.

It is thus seen that the liquor manufacturing business furnishes a market for only about 6 per cent. of the barley produced. If barley growers find a profitable market for 94 per cent. of their product elsewhere, it will not be very difficult for them to find a market for the 6 per cent. now taken by liquor makers.

Mr. W. H. Howland, ex-mayor of Toronto, who had much experience as an extensive grain dealer, was questioned upon this subject. The following is from his examination by Sir Joseph Hickson :—

Ques.—You spoke of the farmer exporting his barley. Suppose the home consumption for malting purposes ceased, to what country would he export what is now being consumed in that way?

Ans.—The great bulk of the barley to-day is being used for food, the price is down to a food basis, and it is going to the old country, and being used in this country for feeding purposes. The maltster has followed the price down, and he is not giving more than the feeder for it to-day; he is getting his malting barley practically at feed prices.

Ques.—What are they feeding with it? *Ans.*—Feeding cattle and horses. The uses of barley in the country for malting purposes are nothing like sufficient to employ the produce of that grain.

Ques.—If the barley that is now used for malting purposes should cease to be so used, there would still be a limited market, would there not? *Ans.*—I do not think barley could be lower than it is to-day.

Ques.—If you had a prohibitive law, would not the market for barley be still further limited? *Ans.*—Yes, to the extent of barley for making beer in Canada. But I do not believe it would result in a reduction of the price below the present standard.

Ques.—You do not think a further reduction in the consumption for malting purposes would lessen the amount the farmer gets for his barley now? *Ans.*—No, I do not, because I think it is at the lowest point at which it can be profitably produced. I think when the price falls below 40 cents a bushel, the production will stop. The farmer is only getting about \$10 an acre at the present time for what he produces in the shape of barley.

HOPS AND CORN.

The hop production as shown above in the majority report is a very small item and it would seem that even that item does not represent purely Canadian agricultural interests. The following is from Mr. Howland's evidence :—

Ques.—What about hops? *Ans.*—Hops is a small article of production in Canada.

Ques.—Do you remember how much brewers pay for hops? *Ans.*—I believe they import the best qualities of hops they use.

The proportion of Canadian corn used by distillers is also very small, a great amount of what is consumed being imported from the United States. It seems very absurd to talk of Canadian agricultural interests being injured by the destruction of a market mainly supplied by another country.

It must be borne in mind also that this imported grain is the article which in the end feeds distillery-fed stock, and thus is depriving Canadian farmers of a market for Canadian products useful for the production of beef and pork; so that the liquor traffic is in this relationship at any rate, a competitor to, and an interference with, Canadian agricultural industries.

IMPORTED MATERIAL.

The fact already mentioned that a good deal of the material used in making liquor is not Canadian produce, presents another aspect of this question which is set out in the minority report as follows :—

Another fact related to this branch of the inquiry is that about the amount and value of imported grains, etc., used in the manufacture of Canada's liquor. According to an estimate by the Commission, the value of the materials used in liquor manufacturing annually is about as follows :—

Imported materials.....	\$1,103,326
Home-produced....	1,279,439
Total.....	\$2,382,765

The value of the materials imported for liquor manufacture is just so much of the country's money sent away, and for which no equivalent is received, the only return being the impoverishing and demoralizing liquors produced.

CONCLUSIONS.

The finding of the majority report in relation to agricultural interests has already been quoted. It is only necessary to present the conclusions of the minority report, which will be seen to be entirely in harmony with the facts above stated :—

The following results in relation to agricultural business would be likely to accompany prohibition :—

1. The first effect would be to impel agriculturists to produce material for export rather than for the domestic manufacture of liquor.

2. The wealth of the country would be increased by the amount of gain accruing from the exportation of this produce instead of its destruction.

3. The increased national wealth, being to some extent in the hands of a class of the community now impoverished through intemperance, would be likely to raise the general standard of living, thus leading to an increased home consumption of the finer classes of agricultural produce. This would be beneficial to agricultural interests.

4. If the distilling business were terminated there would be likely a falling off or a complete stoppage of the importation of foreign grain now used for distilling, and the refuse of which is taken for feeding stock, a large part of which stock finds its way to a foreign market. This would naturally compel the feeding of this stock upon Canadian produce, which would be a benefit to agricultural interests.

5. To the extent to which the agricultural classes are now consumers of intoxicating liquors, that class would be benefited by their savings through the termination of the liquor traffic. Increased sobriety, meaning improved habits, would tell favorably upon agricultural as well as other interests. What benefits the country at large must benefit the farmer.

CHAPTER III.

THE EFFECT OF PROHIBITION UPON COMMERCE AND INDUSTRY.

This phase of the question has also been dealt with in Part I, in which it has been clearly shown that the liquor traffic materially interferes with wealth production. This is forcibly borne out by the evidence given by employers of labor who were examined by the Commission.

The commissioners were urged to send to manufacturers, all over the Dominion, questions so framed as to elicit information relating to the effect of the liquor traffic upon other industries. This proposal was rejected. Much valuable information on the subject will be found, however, in the evidence given by employers of labor who were examined. Some of that evidence is pithily summed up in the minority report in the following form :—

Roderick McDonald, manufacturer of copper and brass goods, steam fixtures, etc., Halifax, N.S., employs 140 men. He said his firm had a decided preference for abstainers ; they do all they can to keep drink shops away from the vicinity of their works ; customers, including brewers, object to drinking men being sent to work on their premises. As a ship owner he would not think of employing a captain or engineer who drinks. He added :—

“I believe that if we had prohibition for five years it would so change the face of the country that we would not know our Dominion. In making that statement I am simply voicing the opinion of Mr. Bright, Lord Palmerston and such statesmen.”

Charles Archibald, manager of the Gower Mine, Cape Breton, N. S., employs from 300 to 400 men. He said :—The drink habit lessens decidedly the wage-earning power of men ; their drinking is an injury to us also ; we have certain expenses going on all the time, and if our men are off work this involves a loss to us—a very severe one ; previous to the enforcement of the Scott Act the loss was very great, both to the men and to us ; there has been a

marked improvement since the law has been in force ; national prohibition would have a good effect upon our business and upon business interests generally.

Several other managers of mines in Cape Breton gave similar testimony.

Harvey Graham, iron founder, New Glasgow, N. S., employs 400 men. He prefers abstainers as a matter of business, the drinking men lose time and are not able to earn much. He said : " We object to drink shops near our work, and are glad to have the Scott Act enforced ; the effects of its enforcement are good."

J. F. Gregory, accountant of Murray's Mill Co., St. John, N. B., said : Drinkers lose from ten to twenty-five per cent. of time, those who do not drink take good care of themselves and families, the drinkers have to be taken care of through the winter ; our business has suffered through the drinking habits of some of our employees ; there are drink shops near our mill and they are a temptation to men who otherwise would not drink.

J. C. Risteen, of J. C. Risteen & Co., planing mill and door and sash factory, Fredericton, N. B., said : We must have men who do not tamper with liquor ; it would be ruinous to our business to have drinking men ; under the license law we had more difficulty to get and keep sober men than now ; the absence of liquor-selling places is good and helps the man to be temperate.

Alex. Gibson, Marysville, N. B., who employs in his lumber and milling business and cotton factory, 1,200 in the summer and 2,400 in the winter, is a strong advocate of abstinence and of legal suppression of the liquor traffic. No liquor is sold in the town of Marysville, to which fact Mr. Gibson attributes the absence of disorder and the thrift and prosperity of the people. In the thirty years during which he has developed the immense business under his control, though keeping all his property fully insured, he has not had to make a single claim for loss by fire, and this he thinks is largely due to the absence of liquor selling in the town. He expressed the belief that from a business point of view alone, it would be infinitely advantageous to the country to prohibit liquor traffic.

Charles E. McKeen, manufacturer of boots and shoes, Quebec, said : Considerable trouble is caused manufacturers by drinking employees ; when a man is away it is our loss as well as his ; it lessens our output, while our running expenses are the same ; we sometimes have orders cancelled because not filled in time, the failure to fill them being due to drinking employees ; a few drinkers often interfere with the work of many others : We had a case about two weeks ago ; four men stopped the output of the entire factory for three or four days. He believed prohibition would be a great advantage to the business of the country.

D. W. Karn, manufacturer of pianos and organs, Woodstock, Ontario, employs two hundred men. He said he had been compelled at various times to discharge some of the best workmen he ever had, for drinking ; not only the men themselves lose by

drinking, but their employers are losers too ; he has lost hundreds of dollars by not being able to fill orders, the inability to fill them being caused by drinking men. When the Scott Act was in force there was a great improvement. It will be better still if we have a general prohibitory law.

William J. Copp, iron founder, Hamilton, Ontario, employs one hundred and fifty men. He said : The wage-earning power of drinking men is much reduced. Their drinking is also a very serious disadvantage to our business. The absence of one man at particular times may interfere with many men, hindering the work they have in hand. We have had serious losses from the absence of some on account of drink. The establishment of licensed drink shops near our works is injurious. They induce men to drink. Drink shops depreciate the value of property near them ; national prohibition of the liquor traffic would have a very beneficial effect on the business interests of the country generally.

Hart A. Massey, Toronto, president of the Massey-Harris Co., manufacturers of agricultural implements, said : The company employs from twelve hundred to fifteen hundred men ; they pay in wages about \$500,000 annually ; their annual output is from \$3,000,000 to 5,000,000 ; they have had a good deal of trouble, first and last, on account of drinking employees, and have suffered considerable loss ; they have had men who lost fully one-third of their time through drink ; the drinking of one man often interferes with the work of a gang—their work has to stop while he is off drinking ; there has scarcely been an instance of suffering in the families of the men that has not been traceable to drink ; other branches of business would not suffer by the abolition of the liquor traffic but would receive an impetus ; forms of industry, now dormant for want of capital, would be established, and labor would find employment ; the purchasing power of the people would be increased ; a distillery or brewery with an annual output equal to theirs would not employ nearly so many men ; a prohibitory law would be a decided advantage to the country, it would be the best law that could be given to the country.

The fact that employers of labor, in increasing numbers, are requiring abstinence from intoxicating liquors on the part of those whom they employ, at least while on duty, is suggestive of the economic value of such abstinence, and by implication, of the interference of the liquor traffic with the various industries of the country.

LIQUOR TRAFFIC AND RELATED TRADES.

No doubt an immediate result of the stoppage of the liquor traffic would be the throwing out of employment and use, of the men and capital now occupied in that business. In considering this matter it is well to have in mind the actual magnitude of these interests.

There are in Canada, according to the last census returns, 162 breweries, 8 distilleries, and 5 malthouses. These have invested in machinery, tools, etc., as follows: The breweries \$1,187,723; the distilleries, \$282,500; and the malthouses, \$5,000; and they employ, respectively, 1,865, 404, and 43 persons. The whole number of liquor manufacturing establishments is 175; the money invested, \$1,475,223, and the employees, 2,312.

Such industries as coopering, bottle making, cork cutting, and a few others would also probably be affected by prohibition. The employees in wholesale and retail houses, and bar tenders, would be deprived of their immediate occupation. It is well to consider whether or not the men and money thus thrown idle would remain so, or would find employment in other fields.

In the first place it must be borne in mind that, proportionately to the capital invested in it, the liquor traffic gives employment to a very small amount of labor. The evidence of the liquor manufacturers who were examined made this very clear. If the capital now engaged in the liquor business were invested in any other manufacturing industry it would give employment to vastly more men than it now enables to earn a living.

In Part II statistics have been adduced showing the tremendous waste entailed upon the country through intemperance. If this money were saved from drink it would so increase the purchasing power of the community as to require much more industry in many useful occupations.

Taking these two facts together it is clear that the cessation of the liquor traffic would in a very short time mean more work for more men, and increased prosperity to the classes who depend upon manual labor for a subsistence. This is forcibly expressed in Mr. Howland's evidence, in which he said:—

The inability of the country to pay taxes, and the hard times that come upon us periodically, I believe result from the sweeping of such an immense volume of money into the channels of an unproductive trade.

For instance, take the workingman. If he drinks two glasses of beer a day at five cents each, he will spend annually \$36.50. That \$36.50 represents about 45 gallons of beer, which beer

is produced from about $3\frac{3}{4}$ bushels of barley. At the present price of barley, 40 cents per bushel, the farmer gets \$1.50, and that is all he gets out of the \$36.50, that the workingman pays for the forty-five gallons of beer. Of course there are other articles that go into beer, but I am speaking broadly of the profit made by the farmer on the one hand, and the brewer, the distiller, and the saloon-keeper on the other hand.

The workingman pays \$36.50 for the product of \$1.50 worth of barley, supposing that he takes two glasses of beer a day, which is as little as any man drinks who drinks at all, as a rule. Now, that \$36.50, with the exception of a very small expenditure for labor and a few other things that go into the manufacture, represents a drawing out of the community into an unproductive trade, and away from productive labor and productive employment, of that whole sum. * * * *

The percentage of labor is exceedingly small in the production of that \$36.50 worth of beer, extraordinarily small, in fact, when you come to work out the percentage. They may give you the volume of the output, the amount paid in labor, the number of men employed, and one thing and another, but when you come to put the whole outlay against the $3\frac{3}{4}$ bushels of barley, or the 45 gallons of beer that the working man will drink in a year, you will find it is an infinitesimal amount.

Now, if that \$36.50 were applied by the workingman to the purchase of food that the farmer has to sell, the wool and other things that he grows, the products of the manufacturers, I believe that the country would enjoy a state of prosperity that we cannot possibly obtain under any other circumstances.

The minority report presents other arguments and draws conclusions relating to this branch of the subject in the following form :—

It is a doctrine of political economy that the wealth of a country is dependent on, and in proportion to, the number of those who produce something useful and valuable, and that every man who is not producing valuable goods, or by his work adding to the prosperity of the country, is a burden on society. Those engaged in the manufacture and sale of liquors are not producing anything of value to the country. They are not only non-producers, but are engaged in a business which increases, in the ratio of its success, the number of non-producers.

The great majority of non-producers in the country are, (1) the people engaged in the liquor traffic, (2) the police and other officials whose duties are made necessary by the traffic, (3) the many thousands who by the drink habit work only part of the time or not at all, and (4) the wholly dependent classes—paupers, insane and criminals, a considerable proportion of whom are the product of the liquor traffic.

The overthrow of such a traffic could not be detrimental to any interest of the country. The saving of the money now spent

in liquor by that class whose small income always runs close to the outlay necessary to maintain an existence, must be beneficial to every kind of legitimate industrial occupation.

The evidence goes to show that the various industries and the wage-earners of the country have no enemy so dangerous and so damaging as the liquor traffic.

Manufacturing and commercial interests generally would be favorably affected by prohibition. The capital formerly employed in the liquor traffic and connected businesses would, probably, suffer temporarily in its transference to other lines of investments. The loss which the carrying trade would at first suffer would be comparatively small, and in time would probably be fully compensated because of the general increase in business and the improved prosperity of the country.

It is difficult to conceive how anything but benefit could come to the industries and commerce of the country by the prohibition of a traffic which is the cause of national waste of more than \$134,000,000 annually.

CHAPTER IV.

REVENUE REQUIREMENTS.

In considering the questions of municipal, provincial and national revenue, reference may again be made to Chapter 3 of Part II, where the figures relating to the receipts under this head are given in full, and show a total for the Dominion of \$ 8,473,316

It is in the same place made clear that the

liquor traffic involves an annual outlay of 143,258,716

Showing a loss to the tax payers of \$134,785,400

It is absurd to suppose that the liquor traffic pays taxes. It simply collects taxes from those who consume the liquor, and pays a small proportion to the revenues of the country. Reckoning only the money paid directly for the liquor, it will be seen that the people pay about forty million dollars and in doing so add about eight and a half millions to the revenue. Even if there were no other way of getting the money but by direct taxation, that plan would fall much more lightly upon the people than does the present.

Again, the loss to the country's wealth is so much diminution of tax-paying power. If the wealth now destroyed by the liquor traffic remained in the country, it would in many cases be tax-paying wealth, and thus would to some extent replace the lost revenue without involving the search for new sources of revenue. This was made clear by Mr. Howland in his evidence in which he said :—

I would say shortly that the ability to pay taxes depends altogether on the wealth of the community, no matter in what shape the taxes are levied, no matter whether they are collec-

ted by customs or inland revenue, or by direct taxation. In the case of goods paying customs duty and inland revenue, if the people have not got the money, they have simply to do without the things altogether.

A CASE IN POINT.

The following extracts from the evidence of the Secretary of the Dominion Alliance mentioned actual cases in which revenue was thus enhanced, instead of being diminished, by the lessening of liquor consumption :—

I have in my hand a volume written by Dr. Frederick Richard Lees, of Great Britain, a Fellow of the Royal Society, a standard authority. In this book he quotes from a British parliamentary document, the fourth and fifth reports of the commissioners, of inquiry made in 1822. He calls attention to the fact that on account of the famine that prevailed in Ireland in the year 1809 and 1810 and again in 1813 and 1814 the distilleries were stopped. It will be noticed that those years were years of scarcity in the country, and not prosperity. The average yearly consumption of spirits in the years between the periods I have named was seven and a half million gallons, whereas in the famine years I have named it was not more than four and a quarter million gallons, showing a saving of three and a quarter millions of gallons annually in these years. Here is a statement from a treatise on the police of London, by Mr. Colquhoun :

"It is a curious and important fact that during the period when the distilleries were stopped in 1796 and 1797, though bread and every other necessary of life were considerably higher than during the preceding years, the poor were apparently more comfortable, paid their rents more regularly, and were better fed than at any period for some years before, even though they had not the benefit of the extensive charities which were distributed in 1795."

Now, here is a table which shows the articles, the importation of which into Ireland increased in the famine years 1809-10 and 1813-14 when the distilleries were closed; and it will be noticed that they are not articles that took the place of food, but such articles as I have spoken of. The articles and increases were: Harberdashery, £30,000 worth; drapery, 1,356,070 yds.; iron, hardware and pots, £129,651 worth; blankets, 33,401 number; cotton goods, £93,000 worth; black tea, 341,511 lbs.; muscovado sugar, 74,324 cwts.; and so forth; giving this result, that while the revenue from spirits fell off very largely, the revenue from these articles very largely increased.

Let me quote one more sentence: "In the year of Father Mathew's greatest temperance triumphs in Ireland, while the revenue from whiskey was vastly reduced, the total revenue had increased £80,000 above the average, besides saving much cost in collection." I do not say that that would be paralleled

in Canada, but it indicates the way in which there would be a great saving to the country to make up the loss of revenue from the liquor traffic.

THE REVENUE NEED NOT BE LOST.

The same witness, on being asked by the commissioners whether or not he thought the Dominion revenue now obtained from the liquor traffic would be lost if a prohibitory law were enacted, made the following statement :—

I am inclined to think that we are not going to lose revenue to the extent that is imagined, because you will notice that when we get prohibition for beverage purposes, the liquor required for medicinal, scientific and sacramental purposes will still be allowed to come in, and no doubt a large amount will be used in these ways.

Perhaps the medicinal use will be larger for quite a while than it was before. At any rate, we would not expect to annihilate the traffic. I think we would make wonderful progress if we cut off three-fourths of it. In that case there would still be left a fourth of the revenue, and I am not sure but that fourth might be doubled. I do not think it would hurt the liquor traffic if it were asked to pay twice the amount of duty it pays now.

Moreover, you will notice that in this bill, to which you have been kind enough to make allusion, it is provided that all liquor traffic carried on shall be carried on by the government; the government does all the importing, manufacturing and selling, and gets all the profit. Probably liquors for medicinal, sacramental and mechanical purposes would be sold at higher prices than they are now. The Government would fix the price, and it would be easy for them to fix it so that they would get the whole \$7,000,000 of revenue out of the fourth of the liquor traffic that remained and which they controlled.

IMPORTANT OPINIONS.

The minority report after showing clearly the great advantage that would accrue to the wealth, and therefore the tax-paying power of the community by a prohibitory system, presents the following important statements and quotations of opinion bearing upon the question :—

In earlier years prohibition of the liquor traffic was urged almost wholly as a temperance measure. But in late years much attention has been given to the traffic in the light of political economy; and to deal with it is now very generally regarded as a necessary financial reform.

As showing this, the following opinions, which because of their source are especially deserving of consideration, are submitted ;—

Gentlemen, you need not give yourselves any trouble about the revenue. The question of revenue must never stand in the way of needed reforms. Besides, with a sober population, not wasting their earnings, I shall know where to obtain the revenue. — *W. E. Gladstone.*

After a succession of unfavorable seasons in the greater portion of the United Kingdom, the produce of the land has, during the present year, been for the most part abundant and trade is moderately active. The growth of the revenue is sensibly retarded by a cause which must by itself be contemplated with satisfaction. I refer to the diminution in the receipts of the exchequer from the duties on intoxicating liquors.—*Queen's speech from the throne, 1883.*

No way so rapid to increase the wealth of nations, and the morality of society as the utter annihilation of the manufacture of ardent spirits, constituting as they do an infinite waste and an unmixed evil.—*London Times.*

If the revenue diminishes from increased habits of temperance, the amount of wealth such a change would bring to the nation would utterly throw into the shade the amount of revenue that is now derived from the spirit duty; and we should not only see with satisfaction a diminution of the revenue from such a cause, but we should find in various ways that the exchequer would not suffer from the losses which it might sustain in that direction.—*Sir Stafford Northcote, Chancellor of the Exchequer.*

After having had a good deal to do with the question of revenue and the raising of taxation, I am quite prepared to assert before this audience to-night that the finance minister who should succeed, by prohibiting the traffic in intoxicating liquors, in restoring \$16,000,000 now lost to the people of this country, and wholly wasted—the finance minister who should succeed in doing that and should also save the indirect loss that arises from the injury that is done society by it—I say he will have no difficulty whatever in raising the sum of money which appears in the first instance to be lost to the revenue. There can be no doubt whatever about it.—*Sir A. T. Galt, G.C.M.G., Finance Minister, 1867.*

It has been my misfortune, or fortune, having been a great many years in the government of my native province, New Brunswick, and in the Government of the Dominion, to hold the post of Finance Minister in all these governments, and I have never had but one opinion about the revenue question, namely, that it is of quite secondary importance, though it is, I admit, a more difficult thing with you. The revenue we obtain in the Dominion of Canada is probably five or six millions of dollars a year, and it costs twenty million dollars to provide it for us. No finance minister would remain in office who would, in this day, propose a scheme for raising a revenue of \$5,000,000 that would cost \$20,000,000 to collect.—*Sir Leonard Tilley, K.C.M.G., Finance Minister, 1873, 1878-85.*

I do not believe there are a great many people in this country who would not be prepared for the statement that the Hon. Finance Minister then made. There are not a great many people in this country who would not fully understand that, although direct receipts from this traffic would certainly be expunged from our revenue, still the improvement in a general commerce of the country, the improvement in the general welfare and well-being of our community, would be so great that the receipts in all other branches of our revenue would be increased correspondingly, and there would practically, after the first year or so, not be any diminution whatever in our revenue from our taxpayers.--*Hon. George E. Foster, Finance Minister, 1888-1895.*

CHAPTER V.

ENFORCEMENT OF PROHIBITION.

In considering the question whether or not a prohibitory law is capable of efficient enforcement it is absolutely necessary to have in mind some idea of what is meant by "efficient enforcement." The following statement from the majority report has already been quoted.

No where, so far as this Commission has been able to investigate, have prohibitory laws had the effect of stopping the use of alcoholic liquors as a beverage.

If it is to be understood that the test of "efficient enforcement" of a law against wrong doing is the entire absence of any of the wrong doing which the law forbids, then it must be admitted that no law is efficiently enforced. If, on the other hand, a lessening of the evils which the law attempts to remedy is to be taken as demonstrating the success of the law, then we may claim, as being efficiently enforced, many laws which are nevertheless frequently violated.

No unprejudiced listener or reader would hesitate to admit that the evidence taken by the Royal Commission showed that, in many cases into which they enquired, prohibitory laws had lessened drunkenness and its attendant evils. This is very strikingly shown in the compendium of replies to questions addressed to clergymen. The same fact is forcibly set out in the replies received from Canadian judges and magistrates. One of the questions asked them was the following :—

Does your experience in dealing with criminal cases lead you to believe that the enactment of a law prohibiting the manufacture, importation and sale of intoxicating beverages would produce a material reduction in the number of criminal cases?

The answers are classified by the commissioners as follows:—

Affirmative (a)	101
Negative (b).....	39
Indefinite	18
No reply	9
	167

(a) In answering in the affirmative 20 express the belief that a prohibitory law would reduce the number of criminal offences if it was properly enforced.

(b) Of those replying in the negative 4 are of the opinion that such a law is impracticable or could not be enforced.

DIFFERING POLITICAL SYSTEMS.

In drawing conclusions regarding the probability of the efficient enforcement in Canada of a law of total prohibition, from the result of prohibitory experiments in the United States, the difference between the Canadian and United States political systems must be remembered.

In nearly every case inquired into in the United States, the commissioners found that the officers charged with the enforcement of the law, were elected by popular vote in the localities in which they acted. It will readily be seen that in a place where public opinion was not in favor of prohibition, officers would be elected whose sympathies would not be with the law. In fact in some cases they were elected with a distinct understanding that they should encourage law-violation. This system makes enforcement weak where it most needs to be strong.

The Canadian system, under which no judge, no sheriff, no magistrate, no license inspector, no police officer, is chosen by popular vote, places these officers in a position of comparative independence. They are appointed to enforce the law of the land, and in most cases have behind them not merely the sentiment of a locality, but the sentiment of a whole community. They retain their positions by doing their duty, where similar officers in the United States would lose their positions by such a course. It will readily be seen that our independent officials, among our law abiding population, would be more likely to secure good results than would the officials in United States

localities where prohibitory law was not looked upon with favor.

If the important considerations just mentioned are carefully kept in mind, correct deductions may be made from the following findings of the majority and minority reports respectively :—

THE MAJORITY CONCLUSIONS.

The undersigned consider that the aim of any system of regulating, or prohibiting, the liquor traffic is to lessen or extinguish the evils which arise from intemperance, or from the improper use of intoxicating beverages ; and after the most careful and anxious consideration of the subject, they have come to the conclusion, that this would not be accomplished by the enactment of a law prohibiting the manufacture, importation and sale of intoxicating liquors throughout the Dominion, and that if such a law were passed, it could not be efficiently enforced.

A prohibitory law partakes too much of the character of coercive legislation on a matter in regard to which a very large portion of the people consider they are qualified and entitled to judge for themselves, to be accepted as a measure they are called upon to unhesitatingly obey, and hence the impracticability of efficient enforcement.

With the powers possessed by the various provinces to legislate in respect to the traffic, the certainty that in some of the provinces prohibition would meet with determined opposition, with an open frontier such as the Dominion possesses, largely bordering on states in which sale would be carried on, the undersigned consider that it is illusory to anticipate that a general prohibitory law could be enforced with any reasonable degree of efficiency.

THE MINORITY CONCLUSIONS.

It is impossible, as has already been said, to consider the evidence that has been submitted to your Commission and the facts which have come under the direct observation of your commissioners, without coming to the conclusion that in many cases and many places prohibitory laws have been in force to such an extent as to abolish the common sale of liquor, in other cases to bring liquor consumption into much smaller limits than those within which it was previously, and generally to produce results very desirable and beneficial from the standpoint of sobriety, morality and material prosperity.

If it is admitted that a lessening of drinking, drunkenness and crime through the enforcement of prohibitory law are satisfactory evidence of what may be called "efficient enforcement," then the overwhelming weight of evidence recorded shows that prohibition has been efficiently enforced. That it has been efficiently enforced is proof that it is "capable of efficient enforcement."

Two important considerations that must be borne in mind in dealing with this subject are forcibly expressed as follows, by Rev. Dr. McLeod :—

It has been shown that where prohibition is in operation there has been perjury on the part of those who sought to save themselves or their friends from the penalties of law violation. It has also been shown that, according to the opportunities offered, perjury has been quite as common in cases of infractions of license laws. If in any place this offence has been more manifest under prohibition, it has been simply because there has been more honest attempt to enforce prohibition than to enforce the restrictive and prohibitive provisions of license laws. This deplorable evil must be set down as the result of the lawlessness and degrading influence of the liquor traffic, and really constitutes an argument for the suppression of that traffic.

The prohibition advocated in Canada, viz., the total prohibition of the manufacture, importation and sale of intoxicating liquors for beverage purposes—is a more complete and effective form of prohibition than any which has yet been in operation. No such prohibition was examined into. No experiment in prohibition was investigated that was not trammelled by the evil of more or less free importation. The nearest approach to such prohibition system was that existing some years ago in the North-West Territories, and it is well worthy of note that that rigid enactment met with almost universal approval, that the early operation of the North-West law is ever most heartily commended, and that the condemnation of it, sometimes heard, is the condemnation of the broken-down and mutilated condition to which it was reduced by the administration in later years.

PART V.

All other information bearing on the question of Prohibition.

CHAPTER I.

THE FINDINGS OF THE COMMISSION.

The fifth subject of inquiry assigned to the Commission is indefinite in its terms. Little attention is paid to it in the majority report. Regarding it the minority report presents some information relating to the history of the prohibition movement in Canada which will be found in the introduction of the present work, and also the conclusions of the commissioner reporting. It has been thought well, however, to present here the information secured regarding some matters which have not been fully treated of in the former parts of the present volume.

The findings of the majority and minority of the Commission, respectively, have been already set out to some extent in Part IV. (see pages 268, 270, 271, 276, 281, 288, 290). The minority report closes with a further condensed summing up of the conclusions of the commissioner reporting, and the majority report contains a number of recommendations concerning legislation for the further restriction of the liquor traffic. This chapter deals with these two matters.

THE MINORITY FINDINGS.

The minority commissioner sums up, at the end of his report, his conclusions in the following terms:—

Conclusions.—In view of the facts hereinbefore recited, and after a careful consideration of all the evidence taken by the

Commission, and of all other information and knowledge obtained, the undersigned respectfully submits the following as his conclusions in reference to the whole subject which the Commission was instructed to investigate :—

1. That the House of Commons of the Dominion of Canada make a right and wise declaration in relation to the subject when it declared, in 1884, " That total prohibition is the right and only effective remedy for intemperance ; " that the House of Commons was right in declaring, at the same time, " That this House is prepared to enact such legislation as soon as public opinion will sustain them in doing so ; " and that the House of Commons was well advised in reiterating from time to time, as already set out, this declaration.

2. That all the information which your Commission has been able to obtain has made clear to the undersigned that the effect of the liquor traffic has been, and is, seriously detrimental to all the moral, social and material interests of the nation ; that the measures employed to " lessen, regulate or prohibit " the traffic have been of value and effective, only in proportion as they have approximated, in their operation, to the absolute prohibition of the traffic in intoxicating beverages ; and that the revenue requirements of the country should not be considered a reason for the continuance of an admitted evil, and, moreover, could be met without the continuance of that evil.

3. That the endorsement which the electorate of different sections of the Dominion of Canada have given, at the ballot box, to the principle of prohibition, whenever submitted, as well as many petitions, memorials and declarations of church courts, temperance organizations, municipal councils, and other representative bodies, make it sufficiently clear that a majority of the people of Canada are in favor of the total prohibition of the liquor traffic.

4. That it would, therefore, be right and wise for the Dominion parliament, without further delay, to carry out the promise given, and give effect to the principle stated in its several resolutions, by the enactment and thorough enforcement of a law prohibiting the manufacture, importation and sale of intoxicating liquors—except for medical, sacramental, and scientific purposes—in and into the Dominion of Canada.

THE VIEWS OF THE MAJORITY.

The findings of the majority report occupy a great deal of space. Those which form the counterpart of Dr. McLeod's have already been set out in full (see Part IV., Chapters 1, 2 and 5). The report, however, goes on to make a number of recommendations, the principal of which may be summed up as follows :—

1. That those persons engaged in manufacturing, wholesaling and retailing liquors should be compensated for the loss of their business if prohibitory legislation were enacted.

2. That there should be a special "register made of all manufacturers, distillers in or vendors of liquor of every description throughout the Dominion, classified in cities, towns and districts" and that a tax should be imposed by the Dominion government upon all such manufacturers and vendors.

3. That provision should be made for the establishment of reformatories for the scientific treatment of intemperate persons to which they could be committed for such time as might be deemed useful, they being at the same time compelled to work for their own support and the support of those dependent upon them.

4. That license certificates should be of a more permanent character, that convictions should be endorsed thereon, and that these permanent documents should be produced in court in case of any complaint.

5. That the licensing of saloons, the only business of which is the sale by retail of intoxicants "should be put an end to," that no person should be granted a license for any saloon or restaurant in which meals are not regularly supplied, and that no tavern should be licensed that has not necessary accommodation for the travelling public in the shape of rooms and beds, as well as facilities for supplying meals.

6. That "the licensing of the compounding or mixing of various kinds of liquors so as to produce new brands could with advantage be discontinued."

7. That "there is undoubtedly adulteration of liquor carried on," and that provision should be made for the general and frequent inspection of liquors.

8. That residents in a locality in which licenses are in operation should have the right to oppose for cause, the granting of renewals of licenses already in existence.

9. That the number of shop licenses in many places is too great and should be materially reduced and that the

sale of liquor should be separated from other mercantile business.

10. That in case of a second conviction of a licensee, if he be a tenant, his lease shall become void if the lessor so desire, and that in case of a third conviction the license shall be forfeited and the same premises not again licensed for ten years.

11. That a vote should be taken every three years on the question of the repeal of local option by-laws or the Scott Act, in any place in which such laws are in force, whether a petition for such vote is presented or not.

12. That high license fees, direct supervision of premises, inspection of liquors and efficient enforcement of law would greatly improve the liquor business and end many of the evils that now result from it.

13. That persons who purchase liquor, in cases in which the sale is prohibited, should be punished as well as those who sell.

14. That there should be a systematic compilation of returns from jails, asylums, almshouses and reformatories, with the cost of these institutions, as well as complete returns of number and kind of license issued in each city and county and fees paid therefor, which information would afford means of estimating more accurately the result of different systems and would lead to more efficient law enforcement.

15. Another finding of the majority report is in the following terms :—

The spending of money unnecessarily on, and the over-indulgence in liquor amongst the working classes, the undersigned are convinced frequently result, not so much from a love of liquor as from the love of sociable society ; and the comfort which is found in the places where the sale takes place, but in many instances is not to be met with in their own homes. Discomfort, badly-cooked food and ill-ventilated dwellings have much to answer for in connection with intemperance. Attention to these matters, and more especially to the training of the female portion of the population in a knowledge of domestic economy and household duties, the undersigned are satisfied would have an elevating and most beneficial effect.

16. The majority view of the revenue question is expressed in the following terms :

The effect of the law (prohibition) on the federal, provincial and municipal revenues from the traffic would be to practically wipe them out.

Dr. McLeod did not sign the majority report. It is signed by Sir Joseph Hickson, Judge McDonald, Mr. Clark and Mr. Gigault, and has to it the following note:—

I dissent from the suggestion that liquor dealers should be required to obtain certificates from the federal government.

I also dissent from the paragraph referring to the work of the Salvation Army, as I am not satisfied that the temperance movement has been benefited by the work of that organization.

G. A. GIGAULT.

The majority report, among some statements concerning Quebec, has the following : "A memorandum will be found, Appendix No. 71, showing what has been done by temperance organizations in this province for several years back." Appendix No. 71, to which reference is thus made, contains the following paragraph :—

The Salvation Army is a new and quite powerful agency for the spread of temperance. Wherever established it works definitely and zealously and with good effect.

This is probably the statement from which Mr. Gigault dissents.

CHAPTER II.

OPINIONS OF THE CHURCHES.

In Part I there will be found a summary of the replies to certain questions submitted by the Commission to the clergymen of Canada. A number of these gentlemen were also examined from time to time. The majority report quotes specially the evidence of some clergymen who were not favorable to prohibition. That report also expresses the non-currence of the commissioners with the opinions expressed by certain church courts that the licensing of the liquor traffic is immoral.

There were laid before the commissioners copies of many deliverances made by different ecclesiastical authorities and bodies favorable to prohibition. A number of these are found in the appendices to the report, a number of others are quoted by Dr. McLeod, from whose report the following are taken.

THE ROMAN CATHOLIC CHURCH.

The pastorals of the archbishops of the Roman Catholic church have contained many and earnest warnings to their people against the evil power of the drink habit, and frequently against the common traffic in intoxicants. Many of the priests are enthusiastic advocates of total abstinence; they pledge large numbers of their people, and carefully watch over them to protect them from becoming victims of their own appetite and the greed of the drink-sellers. That they recognize the great danger of the legalized traffic is shown by the extent to which their influence, especially in the province of Quebec, has prevented the issue of licenses. That of about nine hundred municipalities in the province about 300 have

prohibition of the liquor traffic either by local option by-laws or by refusal to grant licenses, is due almost entirely to the influence of clergymen of the Roman Catholic church.

THE CHURCH OF ENGLAND.

The Church of England, by such of its chief pastors as Archbishop Lewis, Bishop Bond, Bishop Baldwin and others, expresses disapproval of the liquor traffic and the desire to restrict its bad power.

The New Brunswick Synod of the Church of England, at its session in 1885, adopted the following resolution:—
“Resolved, that this Synod recognizes the evil of intemperance as one of the greatest obstacles to the spread of Christ’s kingdom; and further resolved, that in the opinion of this Synod, the Church of England should be found in the front ranks in the contest against this gigantic evil, and that the clergy and laity of this diocese be called upon resolutely to oppose the evil, and to encourage every legitimate effort to suppress it.”

THE PRESBYTERIAN CHURCH.

The Presbyterian General Assembly of Canada, at its last session, adopted a report containing the following:—

“That this assembly, having heard with gratitude that the lower courts of the church so fully recognize the earnest and faithful preaching and teaching of the word of God as the principal factors in the temperance reform, and that their importance, especially as they bear on the evils of strong drink, is of late years being more strongly emphasized with good results, urges all its ministers to give increased prominence to sermons on temperance, and all its Sabbath school teachers to use the many opportunities they have to instruct their classes in sound temperance principles.

“That this assembly, having heard the unanimous and vigorous denunciation given by so many sessions and presbyteries in all parts of the Dominion, of the saloon or dram shop, and deploring the large number of them that are reported as plying their demoralizing traffic in so many centres of population, desires to place on record its

unqualified condemnation of the saloon or dram shop, as a centre of most degrading influences, and a source of great danger to the church and country, and its conviction that the license system has been proved insufficient to effectually remove the terrible evils of the drink traffic, and that so far as legislation is concerned, nothing short of prohibition, rigidly enforced by proper authorities, should ever be accepted as final or satisfactory."

THE METHODIST CHURCH.

The Methodist Conference of Canada, at its last session, adopted a report on temperance and prohibition, of which the following is a part:—

"That the liquor traffic of to-day is the greatest stumbling block in the church's progress, is fraught with untold evils to humanity and spreads desolation over the length and breadth of our fair Dominion.

"That the efforts put forth by the governments to restrain, by license laws, this cyclone of destruction, have failed in their purpose; be it therefore,

"Resolved, (1) That we are unalterably opposed to all efforts to regulate the liquor traffic by taxation or license, high or low. These afford no protection from its ravages, but on the other hand entrench it in the commonwealth, throw around it an artificial garb of respectability, and make the people partakers of and responsible for the evils resulting therefrom. 'It is impossible to legalize the liquor traffic without sin.'

"(2) That we declare the complete and immediate prohibition of the manufacture, importation and sale of alcoholic liquors for beverage purposes to be the duty of the civil government."

THE CONGREGATIONAL CHURCH.

The Congregational Union of Ontario and Quebec adopted the following resolution at its meeting in 1892:—

"Resolved, that as ministers and delegates we are in a position to feel the pulse of the best sentiment of our Dominion, that is gradually moulding public opinion; and

we feel that the tax-paying and thinking element of the Dominion would be glad of prohibition of the liquor traffic, enforced by officers who are willing to enforce the expressed wish of the people. We thank those representatives in Parliament who were firm in demanding immediate prohibition in accordance with our resolution of last year."

THE REFORMED EPISCOPAL CHURCH.

The synod, held in Oshawa, Ontario, in June, 1894, adopted the following resolution:—

"That whereas the traffic in strong drink is responsible for the intemperance to which is traced a large proportion of the crime, disease, insanity and social disorders that afflict and disgrace the community ; and whereas all efforts to remedy these evils by moral suasion have been comparatively ineffective, therefore, be it resolved, that in the judgment of the synod, a law providing for the total prohibition of the sale of intoxicating liquors for other than medicinal purposes should be enacted by the legislative authority having the power ; and we further urge the members of our church to use their moral and political influence for the accomplishment of this desirable legislation."

THE BAPTIST CHURCH.

The Baptist convention of the maritime provinces, in 1890, adopted the following resolution:—

"Whereas, the traffic in intoxicating liquor is a recognized evil, producing a large proportion of the poverty, suffering, disorder and crime in our Dominion, and unnecessarily adding much to the taxes of our people ; and whereas, we believe that a law enacted by the Dominion Parliament prohibiting the importation, manufacture and sale of all alcoholic liquors, except for use in medicinal, mechanical and sacramental purposes, and containing ample provision for its strict enforcement by the proper authorities, will greatly diminish these and other evils, and largely increase the prosperity and promote the health, peace and morals of our country, it is therefore resolved, that in the opinion of this convention, it is now the duty of the Dominion Parliament to enact such a prohibitory law."

Like position is taken by the Baptist denomination in Ontario and the North-West and British Columbia.

THE REFORMED BAPTIST CHURCH.

The Reformed Baptist Church of New Brunswick and Nova Scotia adopted the following at the annual session of its alliance in 1891 :—

“Resolved, (1) That this alliance declares the liquor traffic to be an unmitigated curse to every nation or country that gives it license.

“ (2) That we declare ourselves fully committed to the principle of its entire prohibition.

“ (3) That we most emphatically declare ourselves opposed to the whole license system, under whatever political party it may be worked.

“ (4) That hereafter, as individuals and as a Christian body, in the use of our elective franchise, whenever possible, we will not knowingly, for any reason whatever, cast our votes for any man who will not incorporate into his political platform the principle of the entire prohibition of the liquor traffic.”

THE FREE BAPTIST CHURCH.

The Free Baptist conference of Nova Scotia adopted the following in the session of 1893 :—

“Resolved, that it is neither right nor politic for the state to afford legal protection and sanction to any traffic or system that tends to increase crime, to waste the national resources, to corrupt the social habits, and to destroy the lives and health of the people That the total and immediate prohibition of the liquor traffic is the demand of righteousness, the pressing claim of humanity, and the crying need of home and country.

“That it is the duty of all good men, rising above selfish and party considerations, to give their support only to such candidates for representative positions as guarantee, by their character and pledges, that they will advocate and support advanced temperance legislation.

"In political action we know no party as such. We are against any and every form of legalizing the deadly traffic ; we desire its utter and absolute prohibition. And we are for whatever party or union of parties will soonest secure such prohibition. We do not advise our people to support this party or that party, but to support, irrespective of party, men who are out-and-out prohibitionists. . . .

What we want is not the triumph of one party or another as such, but the triumph of christian conscience in the delegalization and utter suppression of the hideous, hateful thing, which, established in our midst, makes such ghastly havoc.

" Reaffirming, with all possible emphasis, the position taken by the conference from year to year on this subject, we again declare that the attitude of the Free Baptists is that of uncompromising opposition to the drink traffic, to every form of its legalization, and to every politician or other person who gives it any support or countenance ; and that we are pledged in the most solemn manner, as a denomination and as individuals, to do everything in our power to secure prohibition."

The above quotations are mainly from the chief ecclesiastical courts of the bodies named. It would be easy to fill a volume with similar strong deliverances from Methodist annual conferences, Presbyterian synods and other subordinate, though large and representative church courts.

CHAPTER III.

THE PLEBISCITE FIGURES.

The figures regarding the plebiscites in the different provinces were laid before the Commission. A copy of the official return of the voting in Ontario was also presented them, but the majority have given no place to these figures either in their report or the numerous appendices to it. It has been thought well therefore to publish them here that they may be available for reference. Direct votes were taken in the Provinces of Manitoba, Ontario, Nova Scotia and Prince Edward Island, with the following result.

Province.	Date of Voting.	Votes cast for Prohibition.	Votes cast against Prohibition.	Majority for Prohibition.
Manitoba	July 23rd, 1892,	19,637	7,115	12,522
Prince Ed'wd Island	Dec. 14th, 1893,	10,616	3,390	7,226
Ontario	Jan. 1st, 1894,	192,489	110,720	81,769
Nova Scotia . . .	Mar. 15th, 1894,	43,756	12,355	31,401
Totals		266,498	133,580	132,918

The general opinion of the people of New Brunswick has not been expressed by a plebiscite, as has been that of some other provinces. But the question of prohibition was brought up recently in a newly-elected legislative assembly, which adopted by a unanimous vote on 7th April, 1893, the following resolution :—

Whereas, in the opinion of this legislative assembly the enactment of a prohibitory liquor law would conduce to the general benefit of the people of this province, and meet with the approval of the majority of the electorate, and

Whereas, legislative power in respect to the enactment of such a law rests in the Parliament of Canada ; therefore

Resolved, that this assembly hereby expresses its desire that the Parliament of Canada shall, with all convenient speed, enact a law prohibiting the importation, manufacture and sale of intoxicating liquors as a beverage into or in the Dominion of Canada.

Details by counties or districts of the voting in the province of Manitoba are not at hand.

ONTARIO.

The figures for the province of Ontario are given below, classified according to counties and cities. There are a number of districts made up of a number of municipalities not organized into counties. These are given independently. There are seven towns and one township which are not part of the counties within which they are situated. These are also given separately. In the counties of Essex, Prescott and Russell, and Waterloo, the city of St. Thomas, the town of Prescott, and the separated township of Pelee Island, the men's votes gave majorities against prohibition. The figures for these majorities are given below in heavy-faced type. All the other majorities are favorable to prohibition. The figures are taken from the returns received by the clerk of the legislative assembly.

The form of ballot used in the election was as follows :



Are you in favor of the immediate prohibition by law of the importation, manufacture and sale of intoxicating liquors as a beverage?

YES

NO

The instructions to voters explained the question on the ballot paper in the following terms :—

Electors in voting "yes" on this question will be considered as expressing an opinion in favor of prohibition to the extent to which the legislature of this province or the Parliament of Canada has jurisdiction, as may be determined by the court of final resort.

	Men's Votes		Majorities	Wom's V'ts		Majorities
	Yes	No		Yes	No	
COUNTIES.						
Brant	1,918	655	1,263	165	12	153
Bruce	6,608	3,100	3,508	276	49	227
Carleton	2,513	1,596	917	88	22	66
Dufferin	2,556	910	1,646	117	16	101
Elgin	3,512	1,848	1,664	192	16	176
Essex	2,981	3,245	264	175	43	132
Frontenac	2,193	1,678	515	68	11	57
Grey	6,801	3,291	3,510	313	49	264
Haldimand	2,531	1,349	1,182	137	13	124
Halton	2,163	893	1,270	160	5	155
Hastings	4,420	2,059	2,361	206	40	166
Huron	7,038	4,030	3,008	382	68	314
Kent	4,833	2,916	1,917	240	32	208
Lambton	6,010	2,837	3,173	334	42	292
Lanark	2,740	1,322	1,418	186	30	156
Leeds and Grenville,	5,127	2,979	2,148	377	38	339
Lennox & Addington,	2,503	1,667	836	157	42	115
Lincoln	2,491	1,296	1,195	136	16	120
Middlesex	6,799	3,006	3,793	400	60	340
Norfolk	3,172	1,207	1,965	222	10	212
Northumberland and						
Durham	7,040	2,568	4,472	450	40	410
Ontario	4,707	2,639	2,068	355	52	303
Oxford	5,602	2,551	3,051	505	55	450
Peel	2,491	1,475	1,016	168	26	142
Perth	3,777	2,618	1,159	179	32	147
Peterborough	2,444	1,031	1,413	100	19	81
Prescott & Russell ..	1,494	3,146	1,652	64	31	33
Prince Edward	2,246	1,153	1,093	138	14	124
Renfrew	2,488	2,357	131	106	33	73
Simcoe	6,612	3,744	2,868	375	54	321
Stormont, Dundas &						
Glengarry	5,851	3,424	2,427	388	31	357
Victoria	2,999	1,550	1,449	171	21	150
Waterloo	3,191	4,138	947	315	121	194
Welland	2,674	1,796	878	207	36	171
Wellington	4,715	2,422	2,293	327	66	261

	Men's Votes		Majorities	Wom's V'ts		Majorities
	Yes	No		Yes	No	
COUNTIES.						
Wentworth	3,169	1,145	2,024	189	22	167
York	4,729	2,726	2,003	366	115	251
Haliburton (provisional Co.)	366	211	155	2	0	2
CITIES.						
Belleville	829	538	291	153	26	127
Brantford	1,510	658	852	195	36	159
Guelph	935	622	313	120	28	92
Hamilton	3,907	2,794	1,113	487	105	382
Kingston	1,217	914	303	195	36	159
London	2,444	1,805	639	338	45	293
Ottawa	2,827	2,294	533	268	64	204
St. Catharines	530	440	90	78	22	56
St. Thomas	702	744	42	99	9	90
Stratford	631	515	116	79	15	64
Toronto	10,915	9,171	1,744	1,003	284	719
Windsor	598	724	126	76	54	22
DISTRICTS.						
Muskoka	1,307	618	689	56	3	53
Manitoulin	398	184	214	17	4	13
Thunder Bay	500	298	202	29	8	21
Rainy River	328	232	96	6	0	6
Parry Sound	1,216	639	577	54	11	43
Nipissing	560	552	8	24	11	13
Algoma	827	428	399	23	5	18
SEPARATED TOWNS.						
Chatham	757	630	127	118	37	81
Prescott	155	240	85	22	3	19
Aylmer	253	121	132	49	1	48
Trenton	230	106	124	38	7	31
Perth	172	95	77	32	3	29
St. Mary's	330	212	118	69	21	48
Toronto Junction	459	273	186	34	5	29
SEP'R'D TOWNSHIP.						
Peelee Island	46	69	23	4	1	3
Total	180,087	108,494	74,732 3,139	12,402	2,226	10,176

From the figures above set out we get the following as the aggregate results of the voting:—

	Men.	Women.	Total.
Votes polled—Yes	180,087	12,402	192,489
Votes polled—No	108,494	2,226	110,720
Total votes polled	288,581	14,628	303,209
Total majorities—Yes	74,732	10,176	84,908
Total majorities—No	3,139	.....	3,139
Net majority—Yes	71,593	10,176	81,769

NOVA SCOTIA.

The form of ballot used in the Nova Scotia plebiscite was as follows :—

	Are you in favor of the immediate prohibition by law of the importation, manufacture and sale of intoxicating liquors as a beverage, in the Dominion of Canada ?	
	YES	
	NO	

The following is the result of the voting by counties :

County.	Vote.		Majority.	
	Yes.	No.	Yes.	No.
Annapolis	2,628	350	2,278	.....
Antigonish	883	948	.....	65
Cape Breton	2,644	1,916	728	.....
Colchester	3,053	382	2,671	.....
Cumberland	4,595	511	4,084	.....
Digby	1,695	297	1,398	.....
Guysboro	1,362	392	970	.....
Halifax	5,387	2,351	3,036	.....
Hants	2,698	439	2,259	.....
Inverness	1,973	800	1,173	.....
Kings	3,170	249	2,921	.....
Lunenburg	2,567	916	1,651	.....
Pictou	4,100	1,192	2,908	.....
Queens	1,137	225	912	.....
Richmond	978	436	542	.....
Shelbourne	1,838	166	1,672	.....
Victoria	1,165	284	881	.....
Yarmouth	1,883	501	1,382	.....
Total	43,756	12,355	31,466	65

PRINCE EDWARD ISLAND.

The total result in Prince Edward Island is given in the following table. The figures for the city of Charlottetown are included in those of Queen's county. They showed, in the city proper, a majority of 558 in favor of prohibition.

	YES.	NO.
Queen's county	4,226	1,513
Prince county	3,579	1,109
King's county.....	2,811	768
Totals	10,616	3,390

CHAPTER IV.

COMPENSATION.

A subject not specifically mentioned in the instructions given to the Commission, nevertheless, received a good deal of attention. It was the proposition frequently urged by friends of the liquor traffic, that, if prohibition is enacted, those who are now engaged or who have money invested in that traffic, should be compensated for the loss which it is claimed they will sustain through the termination of their present business.

A good many witnesses were questioned regarding this matter. It sometimes seemed absurd to ask men engaged directly in the liquor business whether or not they thought that it would be right to compensate them if a prohibitory law were enacted. In nearly all such cases, as might have been expected, the liquor dealers favored compensation. A few other witnesses held the same view. Others were definite in the opinion that no claim for such compensation could be established as just.

Among those who favored compensation there was much diversity of opinion as to how far the compensation should go; whether it should apply only to liquor manufacturers whose plant would be lessened in value, or to all engaged in the liquor business.

The conclusions arrived at by the majority of the Commission are set out by them in the following paragraph:

The question of making compensation to those engaged in the manufacture, and those engaged in wholesale and retail vending of liquors, one or both classes, should the traffic be put an end to by legislation, has been frequently referred to, and much evidence has been taken on the subject. The undersigned commissioners, regarding the evidence given, and what has been proposed in other countries, as, for instance, England, France, Germany, and

some of the British colonies, consider that the payment of compensation could not, justly, be avoided in the case of those who, by such legislation, would have their business, which they have been carrying on under the sanction of the state, abruptly put an end to, and their capital in many cases almost swept away, and in all considerably diminished.

The other view of the case, that there should be no compensation, was the position taken by nearly all the prohibitionists who were examined, and also by a number of other thoughtful witnesses who might be considered as qualified to consider the question impartially. A fair statement of the case against compensation will be found in the evidence of Dr. J. J. Maclaren, Q.C., who was examined at Toronto. The following paragraphs are extracts from the official report of his examination. They will be instructive not only as affording a comprehensive discussion of the question under consideration, but also as being illustrative of the course sometimes taken by the commissioners in arguing against the views of a witness, instead of simply accepting his evidence and having the same recorded. The quotations cover only part of Dr. Maclaren's examination upon this point:—

Examination by Sir Joseph Hickson:

Ques.—Have you considered at all the question of compensation to those who are engaged in manufacturing intoxicating liquors, and perhaps to those who are engaged in the trade and who have put their capital into it? If a prohibitory law were enacted, would it be right for the state to compensate them in any degree? *Ans.*—It would be a departure from all principles of legislation that have been recognized in this or any other constitutional country of which I am aware; it would be a graver departure, I think, than even a prohibitory law.

Ques.—Then I understand from your answer that you consider compensation should not be made? *Ans.*—Well, I do not know that I have ever heard of any responsible legislator suggesting compensation in such circumstances.

Ques.—I was asking your opinion: I attach some value to that? *Ans.*—That is my opinion, and it is based upon the course of legislation in this and other countries, on the utterances of statesmen, and on some knowledge of the principles upon which legislation has proceeded in this and other civilized countries, Anglo-Saxon countries, especially. I am not aware of such a principle having been acknowledged in this or in any other Anglo-Saxon country, or any other civilized country.

Ques.—Then you would not give any compensation? *Ans.*—It would be a novelty in legislation, and I see nothing in this particular case to justify it. In fact, there are reasons why compensation should not be granted to men engaged in the liquor traffic, which would not apply to other branches of business and trade, even if the principle were granted. The history of the traffic and of legislation in this country, I think precludes any idea of entertaining compensation in Canada, whatever might be the case in other countries.

Examination by Judge McDonald :

Ques.—What are the reasons why compensation might apply to other matters, but do not apply to this? *Ans.*—The principle of compensation for changes in the fiscal and other laws is not admitted.

Ques.—But what is the difference? You said even if it were admitted in other trades? *Ans.*—Almost immediately after municipal institutions were given to old Canada, the power to prohibit without compensation was introduced. In 1855 the Parliament of old Canada declared in favor of the principle of prohibition by giving the second reading to a prohibitory law. In 1860 further prohibitory measures were enacted by the Parliament of old Canada, both for Upper and Lower Canada. In 1864 the Dunkin Act was passed, providing for these restrictions without compensation. In 1878, the Scott Act was passed, granting prohibition to a certain extent, but without compensation. The Parliament of Canada has time and again declared that the only remedy for the evil of intemperance is the enactment of a prohibitory law, and that they are ready to pass such a law as soon as the country is ready for it. During the last 40 years the people engaged in the traffic have had all these warnings, and in the face of them they have gone on and taken their risk, with the knowledge that the legislature of this country had declared that the traffic would be abolished as soon as the people were ready for it. Another reason is this: On account of this uncertainty—although the uncertainty is not as great as some would like—and owing to the fact that a good many people have conscientious scruples against going into the business, there have been, in some branches of it at least, abnormal profits made on account of its precarious nature, and because the traffic does not have the countenance of a large number of the community. For these reasons I think that, even if compensation were a principle in our legislation, it would not be at all applicable to the liquor traffic.

Ques.—Speaking as a jurist, do you consider that the question of abnormal profits has anything whatever to do with the question as to whether remuneration should be made? *Ans.*—No, but I mention that for this reason, that knowing the precarious nature of their business, these men who have gone into it, have

received in some cases, abnormal profits, which have compensated them for the risk they ran.

Ques.—But speaking as a jurist, do you think that could be urged at all in connection with the question of compensation? *Ans.*—It is not a purely legal question, it is necessarily a political as well as a legal question.

Ques.—Now when was any enactment of the legislature passed, or any declaration of the legislature, such as you speak of made, to prevent the manufacture, or we will say, to close up breweries and distilleries? *Ans.*—Parliament passed such a resolution about 1884, if my memory serves me, by a vote of 122 to 40; and subsequently passed such a resolution without a division.

Ques.—With the condition, however, that you have mentioned, that a law should be passed when the country was ready for it? *Ans.*—When the country was ready for it, and I understand the government have appointed this Commission to ascertain whether the country is ready, and other means are being taken with the same object in view.

Ques.—Do you know whether there are in existence in Canada at the present time, breweries and distilleries that have been in existence for fifty years, or possibly more? *Ans.*—It is possible they may have been in existence at the commencement of the legislation of which I have spoken. I am not aware of their history.

Ques.—Taking them even from your point of view, do you deem it right that remuneration should be made for their plant and machinery that would be rendered useless? *Ans.*—Parliament has never granted it in any instance of which I am aware. When you talk about its being right, I suppose that what parliament does is right, especially when it is shown in a long course of legislation such as I have pointed out.

Ques.—We would be very glad to obtain from you a list of the matters in which parliament has by legislation closed up a business? *Ans.*—Parliament by its legislation is continually affecting business.

Ques.—Are you aware of any legislation having been introduced and carried through in this country declaring that any particular business must be stopped? *Ans.*—My impression is that even a drastic measure of prohibition such as I have spoken of would not stop the business. It would only stop the importation, manufacture and sale of liquor for a particular purpose.

Ques.—The question you are asked is about the manufacture? *Ans.*—My impression is that the manufacture would still go on in Canada.

Ques.—You believe then that all these breweries and distilleries will find work? *Ans.*—Some of them, I suppose.

Ques.—Those that are simply manufacturing lager beer?

Ans.—I am not prepared to say. I am not an expert in the business.

Ques.—Put it this way: Is not the legislation for which you intend to ask, one that would close up a large number of these places? *Ans.*—I would expect it to do so.

Ques.—Then would you deem it right that the men who had those places should be remunerated for their plant and machinery rendered useless? *Ans.*—I think they have no claim whatever.

Ques.—Then speaking of precedents, do you distinguish between that of the remuneration made by Great Britain in the matter of slaves, and this matter? *Ans.*—I will tell you my view of that. The slaves were looked upon as property, the property was appropriated in England as it was in the United States. If our government went and took possession of any of the manufactured liquor belonging to these brewers or distillers, I would say by all means the government ought to pay for it, just as the English government paid for the slaves.

Ques.—How were the slaves appropriated? *Ans.*—They were made free, they were made citizens, and the country got them. But when the slave trade was abolished, I am not aware that compensation was granted to those vessel owners whose plant and machinery had been engaged in that trade.

Ques.—Had the legislature ever recognized the slave trade by licensing it, by drawing large revenues from it, and surrounding it with restrictions? *Ans.*—No.

Ques.—Now, then, is there any analogy between the two? *Ans.*—Not a perfect analogy, but a closer analogy, I take it, than between liquor and the slaves, closer than between the abolition of slavery and the passing of a prohibitory law.

Ques.—One that would close up breweries and distilleries? *Ans.*—A law that would prevent the manufacture for beverage purposes.

Ques.—But if these men are manufacturing for beverage purposes only. And you admit yourself that closing up would result from such a law? *Ans.*—If a man is manufacturing something that can only be used for beverage purposes, and if he is cut off for that purpose alone, then I presume the effect of the law would be to close him up.

Ques.—Do you think it right that that man should be remunerated for his plant and machinery? *Ans.*—No, for the reasons I have mentioned.

Ques.—You do not think it would be right to do so? *Ans.*—I do not think he would have any claim.

Ques.—I understand you to base that opinion upon the fact that you believe the trend of legislation has been such as to give warning to the men who have gone into that business, that pro-

hibitory legislation might occur at some time ; that at any rate the traffic itself is one of a class to which remuneration should not be given. Am I right there? *Ans.*—I did not mention that as one of the reasons.

Ques.—I ask if I am right in stating your position? *Ans.*—I think the fact that the liquor traffic causes so much crime and misery in the country is an additional reason why there should be no exceptional legislation of that kind in its behalf.

Ques.—Sometimes a business man tells us, If the tariff is changed, I am injured in my business, and there is no remuneration for me. Have you considered the results that follow from changes in the tariff; when you spoke of fiscal legislation did you refer to that? *Ans.*—I referred to it.

Ques.—In the case of the tariff, it is not a matter of abolition, it is a matter of regulation? *Ans.*—Nominally it is regulation, but very often it is practical abolition, just as this legislation of which we are speaking.

Ques.—Is not tariff legislation more upon the footing of regulation by license law, which may have the effect of closing up places by reducing the number, or by increasing the license fee? *Ans.*—Business is so sensitive to profit and loss that the object of the law has not perhaps so much to do with it as the effect or result.

Ques.—Is that not often the effect of a license law, that owing to regulations limiting the number of places, or increasing the fee, many places are closed up? *Ans.*—The effect is more than that sometimes. For instance, when the Crooks Act was passed in this province limiting the number of places, a certain number of people had to be cut off absolutely. When a local option law is passed by a municipality, it cuts off absolutely all those selling in that municipality. That kind of legislation has been going on in this country for over 30 years, and there has been no suggestion of remuneration.

Ques.—Have you known the question to be raised in that case as to compensation? *Ans.*—I have never heard it seriously discussed.

Ques.—Is it not upon a different footing from legislation that would say to a man: Here, your business has got to be stopped? *Ans.*—My impression is that these local prohibitory laws are just as emphatic regarding the saloon-keeper or the hotel-keeper, as the proposed Dominion legislation would be in regard to brewers and distillers, and even more so.

Ques.—You mean in their effects? *Ans.*—No, they are more emphatic even in their prohibitory declarations.

Ques.—In what way? *Ans.*—They say that you shall not sell.

Ques.—Pardon me, they do not say to the brewer and distiller, you shall not manufacture or sell; but they say, You shall not sell under certain conditions. But the legislation for which you are asking would virtually say, to them, you shall not manufacture? *Ans.*—What I understood you were referring to was the shutting up of a man's business under prohibitory legislation, such as took place under the operation of the Crooks Act in this province when the number was reduced, and a certain number were absolutely cut off. The cutting off of licenses under local option laws is more direct and more prohibitory than the proposed legislation would be with regard to distillers.

CHAPTER V.

THE WORK OF THE COMMISSION.

The resolution appointing the Royal Commission was adopted by the House of Commons on June 24th, 1891, and the final report of the Commission was laid before parliament on April 24th, 1895. The Commission was dated March 14th, 1892. The first session of the Commission for taking evidence was held on July 25th, 1892.

The commissioners began their public investigation at Halifax, N.S., all the commissioners being present. The inquiry went on in Halifax for three days. The chairman, Sir Joseph Hickson then withdrew, and the remaining four commissioners continued their investigations in Nova Scotia, spending one day each at the following places, North Sydney, Halifax, Truro, and Yarmouth.

The four commissioners then proceeded to New Brunswick where they sat in the city of St. John for three days, in the town of St. Stephen one day, in the city of Fredericton three days, and in the city of Moncton one day.

Crossing to Prince Edward Island the four commissioners took evidence three days in Charlottetown, and one day in Summerside, closing their public inquiry in the maritime provinces on August 24th.

The Commission resumed work on September 6th, in the city of Quebec, all the commissioners again being present. After hearing evidence during three days they went to Montreal, where the inquiry was continued for seven days, all the commissioners being present, and for four days more, Sir Joseph Hickson being absent.

Two of the commissioners, Judge McDonald and Dr. McLeod, visited Manitoba, the North-West Territories and

British Columbia. They began their inquiry in the city of Winnipeg on October 25th and continued the same in that city for four days. One day was spent in Brandon.

Evidence was taken in the North-West Territories as follows: At Regina on October 21st and November 4th, at Prince Albert on November 2nd, at Calgary on November 7th, at Fort McLeod on November 9th and at Banff on November 12th.

In British Columbia the commissioners sat at Victoria on November 17th and 18th, at Nanaimo on the 21st, at New Westminster on the 22nd and at Vancouver on the 23rd.

From British Columbia was taken the most extended excursion with least object and results. At Winnipeg a witness had informed the commissioners that the town of Pasadena in Southern California was under prohibitory law, and Judge McDonald earnestly desired to see that law in operation. Accordingly, the commissioners went to Southern California and visited the two towns of Riverside and Pasadena. They were in Riverside for a few hours on December 2nd and interviewed three liquor-sellers, one bank president and one clergyman. The following day they spent a very short time in Pasadena, interviewing the city marshal and three business men. This was all the work done in California.

All the commissioners again met to hold a public inquiry in the city of Montreal on January 18th, 1893. The inquiry was continued on the 19th and 20th, and then closed for the time being.

In May 1893, Judge McDonald, Dr. McLeod and Mr. Gigault visited some of the Western States. They interviewed different parties in Kansas City, Missouri, on May 12th, and the following day began their investigations in the State of Kansas. They visited Kansas City, Kan., May 13th, and Topeka May 15th. On May 16th Mr. Gigault went to Salina, while Judge McDonald and Dr. McLeod visited Ottawa. On the 17th, 18th and 19th all three commissioners were at Leavenworth.

The same three commissioners visited Lincoln, Neb., on May 20th. The same evening and the following day they made investigations in Omaha, Neb.

On May 23rd, the same commissioners began their investigations in the state of Iowa at Council Bluffs. Mr. Gigault then left the party. Judge McDonald and Dr. McLeod spent one day in Des Moines and one in Cedar Rapids. On May 26th Judge McDonald visited Clinton and Dr. McLeod went to Muscatine.

On May 27th Judge McDonald visited the town of Stillwater, Minn., and on May 29th and 30th he and Dr. McLeod made investigations in the cities of St. Paul and Minneapolis.

These two commissioners also made some inquiries in the city of Chicago, Ill., on June 1st.

While these commissioners were absent in the Western States, Sir Joseph Hickson examined three witnesses in Montreal, one on each of the following days: May 15th, May 20th and June 14th.

All the commissioners except Judge McDonald visited the State of Maine. They were in the city of Portland for seven days commencing June 21st, 1893. They were at Augusta on June 29th, and at Bangor June 30th and July 1st. After this Mr. Clarke left the party. Sir Joseph Hickson, Dr. McLeod and Mr. Gigault visited Pittsfield on July 3rd, Winthrop on July 4th, Auburn and Lewiston on July 5th and Biddeford on July 6th.

On July 7th Sir Joseph Hickson and Dr. McLeod made inquiries in the city of Boston, Mass., and Mr. Gigault visited the city of Fall River, Mass.

Judge McDonald, Dr. McLeod and Mr. Clarke held investigations in Ontario towns and cities as follows: Brockville, October 4th, 1893; Peterboro, October 5th; Hamilton, October 6th and 7th; Woodstock, October 9th and 10th; Windsor and Walkerville, October 11th. Dr. McLeod left the party after the Woodstock inquiry, and the other two commissioners continued their investigations as follows: Windsor, October 12th; London 13th and 14th, and Berlin, 16th and 17th. They were then joined by Mr. Gigault and sat at Guelph on the 18th and Owen Sound on the 20th.

Sir Joseph Hickson, Judge McDonald, Mr. Clarke and Mr. Gigault heard evidence in the city of Toronto on

October 23rd and 24th. After that date Dr. McLeod and Mr. Clarke were absent while the commissioners continued their inquiry for five days longer. Mr. Gigault then left and Sir Joseph Hickson, Judge McDonald and Dr. McLeod continued the inquiry for four days further.

Sir Joseph Hickson, Judge McDonald, Dr. McLeod, and Mr. Gigault heard evidence at Montreal on December 4th. Without Sir Joseph Hickson, the other three gentlemen named again sat in Toronto on December 6th, 7th, and 8th. The commissioners sat at Montreal on March 2nd, 1894, hearing a statement from Mr. Kribs. Mr. Spence was re-examined on March 4th. Mr. Krib's statement and examination were continued on March 4th and 8th, Mr. Clarke being away on the latter date.

All the commissioners sat at Ottawa on March 9th and 10th. This closed the general public inquiry. Dr. McLeod desired to re-examine Mr. Carson after that gentleman's visit to Maine, which he visited in company with the Commission. The Commission not complying with his request, Dr. McLeod examined Mr. Carson himself. Mr. Carson's evidence is in the minority report.

On June 4th, 1894, an interim report was presented to the government with the evidence taken in the maritime provinces and Quebec.

The final report of the majority, accompanying the remainder of the evidence, is dated March 29th, 1895. The minority report is dated April 5th, 1895.

CHAPTER VI.

THE DOMINION ALLIANCE FOR THE TOTAL SUPPRESSION OF THE LIQUOR TRAFFIC.

The work of securing a fair presentation to the Royal Commission of the case for prohibition was committed to the Council of the Dominion Alliance, and carried out mainly by the secretary of that organization. Of the fund raised for the purpose, there remained after the conclusion of the work, a balance which was appropriated for the publication of this book. Some information regarding the character and work of the organization named is submitted.

The Dominion Alliance is, in its plan and purpose, simply a union or federation of the different societies and agencies of Canada that are favorable to the suppression of the liquor traffic. It provides for a central Council made up of delegates chosen by provincial branches of the Alliance and other provincial temperance organizations and ecclesiastical bodies.

This prohibition parliament, representing all branches of the great temperance army, meets annually to consult and advise regarding plans and methods of general work, with the object of having co-operation and harmony of action as far as possible in the different parts of the Dominion. The council also watches Dominion legislation and persistently seeks to press upon the Parliament the important question of national prohibition.

A Legislation Committee is appointed at the annual meeting of the Council, and consists of a number of leading prohibitionists and those members of Parliament who are in favor of the objects of the Alliance. This committee meets at Ottawa during each session of Parliament, to watch and advise regarding legislative action.

The branches of the Alliance in the different provinces make their own constitutions and direct their own action, recognizing the Council as the bond of union between the various organizations favoring prohibition. As a rule they are formed upon a plan similar to that of the Dominion Council, aiming however to be representative of the individual churches and temperance societies in every locality, thus forming a united committee of all for the carrying on of provincial prohibition work.

The general plan, objects and methods of this comprehensive organization, will be still better understood from a careful consideration of the Declaration of Principles and the Constitution of the Council of the Alliance, which are subjoined. There is also submitted, as illustrative of the plans of the Provincial Branches, the Constitution of the Ontario Branch of the Dominion Alliance which is regularly incorporated under chapter 172 of the Revised Statutes of Ontario 1887.

DECLARATION OF PRINCIPLES OF THE DOMINION ALLIANCE.

I. That it is neither right nor politic for the state to afford legal protection and sanction to any traffic or system that tends to increase crime, to waste the national resources, to corrupt the social habits and to destroy the health and lives of the people.

II. That the traffic in intoxicating beverages is hostile to the true interests of individuals, and destructive of the order and welfare of society, and ought therefore to be prohibited.

III. That the history and results of all past legislation in regard to the liquor traffic abundantly prove that it is impossible satisfactorily to limit or regulate a system so essentially mischievous in its tendencies.

IV. That no consideration of private gain or public revenue can justify the upholding of a system so utterly wrong in principle, suicidal in policy, and disastrous in results, as the traffic in intoxicating liquors.

V. That the total prohibition of the liquor traffic is in perfect harmony with the principles of justice and liberty, is not restrictive of legitimate commerce, and is essential to the integrity and stability of government, and the welfare of the community.

VI. That, rising above sectarian and party considerations, all citizens should combine to procure an enactment prohibiting the manufacture, importation and sale of intoxicating beverages as affording most efficient aid in removing the appalling evils of intemperance.

CONSTITUTION OF THE COUNCIL OF THE DOMINION ALLIANCE.

ARTICLE I.—NAME.

The name of this organization shall be the Council of the Dominion Alliance for the Total Suppression of the Liquor Traffic.

II.—OBJECT.

The object of the Council of the Dominion Alliance shall be the immediate prohibition of the liquor traffic.

III.—MEMBERSHIP.

This Council shall be composed of its officers and representatives in sympathy with the foregoing declarations of principles, elected by bodies favorable to prohibition on the following basis : From the Provincial Branches of the Alliance ; Ontario 20, Quebec 16, Nova Scotia 10, New Brunswick 8, Prince Edward Island and Manitoba 5 each, British Columbia and North-West Territories 4 each ; from Dominion Church and Temperance bodies, from provincial temperance organizations, viz : W. C. T. U., S. of T., I. O. G. T., and R. T. of T., 4 each ; from religious bodies as follows : Each Presbyterian Synod 4, each Methodist Conference 4, each Provincial Baptist Union 4, each Congregational Union 4, each Episcopal Diocesan Synod 4, each Catholic Diocese 4, the R. E. Church in Canada 4, each other Canadian church body, with a membership of not less than 1,000, 4.

IV.—ANNUAL MEETING.

The Council of the Alliance shall meet annually for the transaction of business at such time and place as may have been decided on at the previous annual meeting.

V.—OFFICERS.

The officers of the Council shall be a president, two vice-presidents for each province, a corresponding secretary, a recording secretary and a treasurer, who shall be elected at the annual meeting.

IV.—EXECUTIVE COMMITTEE.

The officers named, together with twenty-one members of the Council who shall be elected at the annual meeting, shall constitute the General Executive, to carry out the decisions of the Council and to attend to necessary business during the interim of sessions. The General Executive shall also convene and arrange for the annual meetings of the Council. The outgoing Executive shall retain office until the close of the annual meet-

ing. The General Executive shall elect its own Chairman, who shall preside at its meetings and sign orders and documents drawn in its name. At all meetings of the General Executive five members shall constitute a quorum for the transaction of business.

VII.—DUTIES OF CORRESPONDING SECRETARY.

The Corresponding Secretary shall, under the direction of the General Executive, assist by correspondence and otherwise, in organizing and carrying on the work in the various provinces, endeavor to secure the co-operation of leading workers and societies throughout the Dominion, and report to the General Executive when required. He shall also prepare a report for submission to the Council at its annual meeting.

VIII.—DUTIES OF RECORDING SECRETARY.

The Recording Secretary shall take the minutes of the meetings of the Council and prepare the same for publication.

IX.—DUTIES OF THE TREASURER.

The Treasurer of the Alliance shall receive such funds as are under the control of the Council, distribute the same as instructed by that body only on the order of the Chairman and the Secretary of the Executive Committee, and present a report to the Council at its annual meeting.

X.—COMMITTEE ON LEGISLATION.

There shall be appointed at the annual meeting a special standing committee of the Council to be known as the Committee on Legislation, composed of members of both Houses of Parliament, and other members of the Council, which shall hold a special meeting at Ottawa during each session of Parliament to watch and advise concerning legislation.

XI.—FUNDS OF THE COUNCIL OF THE ALLIANCE.

The funds of the Council shall be derived as follows: (1) By assessments upon Provincial branches of the Alliance made by the Council at its annual meeting or in the form of grants or subscriptions. (2) Collections at public services in connection with the annual meeting of the Council, or at public meetings held under the auspices of the Council or of the General Executive, and at its expense.

XII.—CHANGE OF CONSTITUTION.

This Constitution may be altered at any annual meeting^T of the Council, provided there are present when such change is made, not less than twenty regularly elected representatives from the bodies entitled to send delegates to such meeting.^{Ho}

CONSTITUTION OF THE ONTARIO BRANCH OF THE DOMINION
ALLIANCE.

I.—NAME.

The name of this organization is "The Ontario Branch of the Dominion Alliance for the Suppression of the Liquor Traffic."

II.—OBJECTS.

The purposes of the society are as follows :—To call forth and direct an enlightened public opinion to procure the total and immediate suppression of the traffic in all intoxicating liquors as beverages, and to unite all the temperance and Christian workers in judicious effort for the attainment of this end.

III.—METHODS.

With this object in view the Alliance shall work for the enactment and enforcement of all available prohibitions and limitations of the liquor traffic, and the election to all legislative and executive political positions of representatives who are known, avowed and trustworthy supporters of the principles and methods of the Alliance.

IV.—MEMBERSHIP.

This branch of the Alliance shall be composed of its executive committee, and delegates chosen to represent churches, temperance societies and other organizations on the basis hereinafter provided.

The plan of representation is as follows :—Every church and society to be entitled to two representatives, and each church or society having more than fifty members, to be entitled to an additional delegate for each fifty or fractional part of fifty after the first full fifty members.

The following organizations are to be entitled to representation on the basis named :—Branches of W.C.T.U., Divisions of Sons of Temperance, Lodges of the I.O.G.T., Councils of the R.T. of .., Branches of the League of the Cross, Prohibition Clubs, and other prohibition or temperance organizations, Church Congregations, Young Men's Christian Associations, Salvation Army Corps, Societies of Christian Endeavor, Epworth Leagues, Branches of St. Andrew's Brotherhood, Baptist Young People's Unions, and other young people's associations in connection with church work.

V.—THE ALLIANCE COUNCIL.

This branch of the Alliance shall recognize the Council of the Dominion Alliance as the bond of union between the several provincial branches, and shall co-operate with it on questions relating to temperance legislation for the Dominion, and inter-provincial work; and the political platform of the Dominion Alliance, and the Declaration of Principles of the same body shall be accepted by this branch of the Alliance, and carried out as far as practicable.

VI.—OFFICERS.

The officers of this society shall be a president, vice-presidents, a secretary and a treasurer. They shall be elected yearly at the annual meeting, and shall hold office for one year and until their successors are elected.

VII.—EXECUTIVE.

The executive committee shall consist of the officers named and twenty-five other persons elected at the same time. It shall elect its own chairman, and shall meet at the call of the secretary, who shall be under the direction of the chairman of the committee.

VIII.—MEETINGS.

The annual meeting of the Alliance shall be held at the time and place fixed at the previous annual meeting, or in default by the executive committee. Other meetings shall be held at the call of the executive committee. Fifteen members shall form a quorum for the transaction of business.

IX.—BY-LAWS.

This branch of the Alliance may enact any by-laws for the government of its officers, the control of its proceedings, and finances, or for any other purpose deemed necessary for the carrying out of its objects or the transaction of its business. Such by-laws before becoming operative must be adopted by at least a two-thirds vote at a regularly called meeting of this Alliance.

V.—AMENDMENTS.

The constitution shall be amended only by a two-thirds vote of the members present at regularly called meeting.

COUNCIL OF THE DOMINION ALLIANCE.

OFFICERS FOR YEAR 1896-7.

President.

Hon. A. Vidal.

Vice-Presidents.

Ontario—Hon. J. C. Aikens, R. J. Fleming.

Quebec—J. R. Dougall, Hon. Sidney A. Fisher.

Nova Scotia—Hon. A. R. Dickey, T. B. Flint, M. P.

New Brunswick—Rev. Jos. McLeod, D.D., A. H. Hannington.

Prince Edward Island—Hon. David Laird, S. Crabbe.

Manitoba—Rev. Geo. Bryce, LL.D., J. Redford Mulock,

North-West Territories—Frank Oliver, M.P.

British Columbia—A. Morrison, M.P., J. B. Kennedy, M.P.P.

Corresponding Secretary.

F. S. Spence.

Recording Secretary.

J. H. Carson.

Treasurer.

W. H. Orr.

Executive Committee.

The officers of the Alliance and the following: Rev. E. H. Dewart, D.D., J. J. Maclaren, Q.C., LL.D., Rev. Geo. Washington, Mrs. Macdonnell, F. W. Watkins, Rev. W. R. Parker, D.D., Geo. Duffy, A. M. Featherston, Rev. A. M. Phillips, B.D., Wm. Tees, S. J. Carter, E. J. T. Fisher, M.D.,

T. Urquhart, J. B. Brooks, Rev. W. A. McKay, D.D., Mrs. A. O. Rutherford, H. O'Hara, C. T. Williams, Rev. T. G. Williams, D.D., Mrs. J. G. Sanderson, Major E. I. Bond, Frank Buchanan.

Committee on Legislation.

A. M. Featherston, J. J. Maclaren, Q.C., LL.D., Major E. I. Bond, W. W. Buchanan, S. P. Leet, Rev. J. B. Saunders, M.D., Rev. W. D. Armstrong, Ph. D., R. J. Fleming, J. R. Dougall, Hon. A. R. Dickey, Rev. Joseph McLeod, D.D., A. H. Hannington, Hon. David Laird, S. Crabbe, Rev. G. Bryce, LL.D., J. Redford Mulock, J. B. Kennedy, M.P.P., F. S. Spence, J. H. Carson, W. H. Orr, together with all members of the Dominion Senate and the House of Commons who are favorable to prohibition.

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